

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 charged with monitoring the actions of public authorities in order to uphold children's rights.¹⁵⁰¹ The government signed a trans-border crime agreement as part of an effort to prevent trafficking and enhance border control.¹⁵⁰² In 1996, the Ministry of Labor and Social Policy developed a plan of action against trafficking and the commercial sexual exploitation of children. The Ministry cooperates with international organizations and NGOs to hold educational seminars, raise awareness of the issue, and gather information.¹⁵⁰³ A Police Trafficking Taskforce was also established as part of a broader police training effort.¹⁵⁰⁴ In addition, OSCE and IOM are implementing prevention, protection, and law enforcement projects to combat trafficking.¹⁵⁰⁵ UNICEF is working to increase access to schools by implementing projects that improve the overall quality of education.¹⁵⁰⁶

Incidence and Nature of Child Labor

In 1999, the ILO estimated that less than 1 percent of children between the ages of 10 and 14 in Macedonia was working.¹⁵⁰⁷ In rural areas, it is reported to be common for children to leave school early to assist with domestic agricultural duties.¹⁵⁰⁸ Children work in the informal sector

¹⁵⁰¹ U.S. Embassy–Skopje, unclassified telegram no. 2616, November 2001 [hereinafter unclassified telegram 2616].

¹⁵⁰² 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. Macedonia also signed an agreement with the Government of Bulgaria to take similar cooperative anti-trafficking measures. See UNICEF, “Trafficking in Human Beings in Southeastern Europe,” Area Office for the Balkans, August 15, 2000 [hereinafter “Trafficking in Human Beings in Southeastern Europe”], 12.

¹⁵⁰³ “Trafficking in Human Beings in Southeastern Europe,” 95. See also *Looking Back, Thinking Forward: The Fourth Report on the Implementation of the Agenda for Action Adopted at the First World Congress against Commercial Sexual Exploitation of Children in Stockholm, Sweden, 28 August 1996: 1999-2000* (Bangkok: ECPAT International, 2000) [hereinafter *Looking Back, Thinking Forward*], 125.

¹⁵⁰⁴ “Trafficking in Human Beings in Southeastern Europe,” 95.

¹⁵⁰⁵ OSCE is the leading agency with regard to trafficking in Macedonia. In conjunction with IOM, its programs include government negotiations, a working group on the subject, and the development of a shelter for women. IOM is also establishing repatriation processes for trafficked women. See *Ibid.* at 97.

¹⁵⁰⁶ UNICEF, “UNICEF’s Priority: Education Objectives,” Macedonia, at www.unicef.org/macedonia/education/educationContent.htm on 11/1/01.

¹⁵⁰⁷ The ILO reported that 0.02 percent of children in the age group were economically active in the formal sector. See *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [hereinafter *World Development Indicators 2001*].

¹⁵⁰⁸ *Initial Reports of States Parties Due in 1993: The Former Yugoslav Republic of Macedonia*, Committee on the Rights of the Child, UN Document CRC/C/8/Add. 36 (Geneva, July 27, 1997) [hereinafter *Initial Reports of States Parties*], para. 202.

and in illegal small businesses.¹⁵⁰⁹ Children work in the streets and markets selling cigarettes and other small items.¹⁵¹⁰ Trafficking of girls for prostitution and pornography is a growing concern.¹⁵¹¹ The country is a destination for girls forced into prostitution from Bulgaria, Montenegro and Serbia, as well as a transit and source country for trafficking of children to Greece, Albania, Kosovo, and Western Europe.¹⁵¹²

The Constitution mandates free and compulsory primary education, and the Law on Primary Education specifies that all children from 7 to 15 years of age attend school for a compulsory 8 years.¹⁵¹³ In 1996, the gross primary enrollment rate was 99.1 percent and the net primary enrollment rate was 95.3 percent.¹⁵¹⁴ Dropout rates for girls in primary and secondary school are high, particularly among ethnic Roma or Albanian children.¹⁵¹⁵

¹⁵⁰⁹ Unclassified telegram 2616.

¹⁵¹⁰ *Initial Reports of States Parties* at para. 246. See also *Concluding Observations of the Committee on the Rights of the Child: The Former Yugoslav Republic of Macedonia*, Committee on the Rights of the Child, UN Document CRC/C/15/Add. 118 (Geneva, February 23, 2000) [hereinafter *Concluding Observations of the Committee on the Rights of the Child*].

¹⁵¹¹ *Country Reports on Human Rights Practices for 2000—Macedonia* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6f, at <http://www.state.gov/g/drl/rls/hrrpt/2000/eur/867.htm>.

¹⁵¹² It is also reported that women are trafficked from Bulgaria, Albania, Romania, Moldova, the Czech Republic, Montenegro, and Serbia. One study indicated that at least 20 percent of prostitutes detained for working illegally in Macedonia were minors. See “Trafficking in Human Beings in Southeastern Europe”. See also *Country Reports 2000* and *Looking Back, Thinking Forward*, 124.

¹⁵¹³ Tuition is free but families must provide children with their own books and supplies. 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 Constitution of Macedonia, Article 44, Nov. 17, 1991 [hereinafter Constitution of Macedonia], at www.uni-wuerzburg.de/law/mk00000_.html on 10/29/01. See also *Initial Reports of States Parties*, para. 20, and unclassified telegram 2616.

¹⁵¹⁴ *World Development Indicators 2001*.

¹⁵¹⁵ *Concluding Observations of the Committee on the Rights of the Child*. See also unclassified telegram 2616 and *Country Reports 2000* at Section 5.

Child Labor Laws and Enforcement

The Constitution and Labor Relations Act sets the minimum age for employment at 15 years.¹⁵¹⁶ The Labor Relations Act prohibits overtime work by children as well as work that may be harmful or threatening to their health or life.¹⁵¹⁷ The Constitution prohibits forced labor.¹⁵¹⁸ The Criminal Code prohibits various acts of sexual exploitation against children, including the recruitment or solicitation of children for prostitution and procurement of a child, and trafficking can be prosecuted through regulations prohibiting the abduction of children and sales in persons.¹⁵¹⁹ The Ministry of Labor and Social Policy is responsible for enforcing the child labor laws, but there are no comprehensive reports on the effectiveness of enforcement mechanisms.¹⁵²⁰ Macedonia ratified ILO Convention 138 on November 17, 1991, but has not ratified ILO Convention 182.¹⁵²¹

¹⁵¹⁶ Constitution of Macedonia at Article 42(1). In addition, the minimum age for work in mines is 18. *See* Labour Relations Act, Section 7, December 27, 1993 [hereinafter Labour Relations Act], at www.natlex.ilo.org/txt/E93MKDO2.htm on 11/2/01.

¹⁵¹⁷ Children under 18 are prohibited from working at night for industrial jobs. *See* Labour Relations Act at Sections 63, 66, and 67.

¹⁵¹⁸ Constitution of Macedonia at Article 42(1).

¹⁵¹⁹ *Initial Reports of States Parties* at paras. 259 and 263. *See also* Criminal Code of Macedonia, Articles 192 and 193, as cited in the Protection Project Database at www.protectionproject.org.

¹⁵²⁰ Labour Relations Act at Section 139. According to the government, no cases of child labor are filed with the Ministry. In regard to the effectiveness of enforcement mechanisms, UNICEF observed that punishments are mild, which contributes to the continuing exploitation of children, and the State Department noted that authorities are reluctant to enforce labor laws in Roma populations. No other information is available. *See also* *Country Reports 2000* at Section 6d; letter from Oliver Krliu, Embassy of the Republic of Macedonia, to Kevin Willcutts, ICLP official, September 14, 2000 [letter on file]; and UNICEF, “The Former Yugoslav Republic of Macedonia: Situation Analysis of Children and Women ” at www.unicef.org/macedonia/ on 11/1/01.

¹⁵²¹ ILO, ILOLEX database, Former Yugoslav Republic of Macedonia at <http://ilolex.ilo.ch:1567/english/> on 10/29/01.

NOTE: Hard copies of all Web citations are on file.