

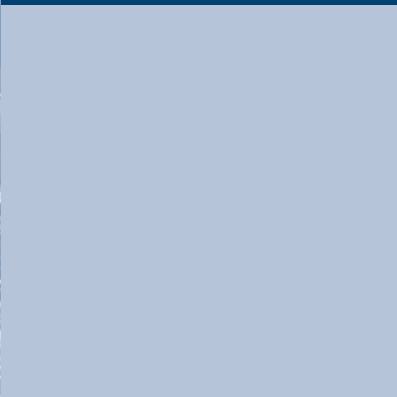


Organization for Security and  
Co-operation in Europe  
**Mission to Skopje**



Second Status  
Report  
(concerning)

## **THE IMPLEMENTATION OF THE ACTION PLAN ON IMPROVING THE SITUATION OF ROMA AND SINTI WITHIN THE OSCE AREA**



Skopje, September 2024

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The country officially changed its name in 2019 in accordance with the Prespa Agreement. Most legal acts had been created before this change occurred and are still in force with the country's former name in their headings. The use of the country's former name in this document is for legal precision.

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## ABBREVIATIONS

ESA	Employment Service Agency of Republic of North Macedonia
AJPP	Academy for Judges and Public Prosecutors
MoC	Ministry of Culture
AP	OSCE Action Plan for Improving the Situation of Roma and Sinti within the OSCE Area
EDB	Education Development Bureau
CSO	Civil Society Organisation
EU	European Union
FOSM	Foundation Open Society Macedonia
IDs	Identification documents
IDP	Internally displaced persons
LPC	Local Prevention Council
MC.DEC	Decision of the Ministerial Council
MoES	Ministry of Education and Science
MIM	Macedonian Institute for Media
MKD	Macedonian denars
MoSPDY	Ministry of Social Policy, Demography and Youth
MoH	Ministry of Health
MoIA	Ministry of Internal Affairs
MoT	Ministry of Transport
NDI	National Democratic Institute
NRC	National Roma Centrum
ODIHR	Office for Democratic Institutions and Human Rights
OFA	Ohrid Framework Agreement
OSCE	Organisation for Security and Co-operation in Europe
PDU	Police Development Unit
REC	Recommendation
REF	Roma Education Fund
RIC	Roma Information Centre
UN	United Nations
UNDO	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
USAID	United States Agency for International Development

## EXECUTIVE SUMMARY

This second Status Report concerning the Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area was developed 21 years following the adoption of the Action Plan. The first Status Report, which provided an overview of the overall situation of the Roma community in the Republic of Macedonia (at the time) for the period 2003-2010 was developed in 2010 by the international expert of the OSCE Mission to Skopje, Giorgia Demarchi.

The scope of this second Status Report monitored the areas covered by the first report in order to determine the level of development of the different segments in terms of the situation of the Roma people in North Macedonia.

The assessment of the extent of the implementation of the OSCE Action Plan covers areas ranging from discrimination, legislation and law enforcement, the socio-economic situation of the Roma community, including segments such as housing, employment and health care as well as education-related issues. In addition to the legislative framework and the socio-economic position of the Roma, this Report also analyses the status of the political system and the development of the political life in the Roma community. Finally, it looks at

the situation of the displaced Roma, majority of whom became refugees as a result of the Kosovo<sup>1</sup> crisis two decades ago.

The analysis of the implementation of the recommendations from the OSCE Action Plan has revealed that there is a varying level of implementation. Namely, if we take a snapshot of its implementation, despite the fact that it has been more than 20 years since it was first adopted, it is safe to say that significant progress has been made in implementing the recommendations related to the adopted legislation, whereas, a moderate progress has been made in terms of the mechanisms aimed at improving the situation; regarding the conditions which allow a full exercise of the rights which are not only part of the recommendations but are also constitutionally guaranteed rights and freedoms under the Constitution of North Macedonia, there is a noted disparity due to inconsistent implementation of the national policies on Roma inclusion in the social processes in North Macedonia.

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<sup>1</sup> All references to Kosovo, whether to its territory, its institutions, or its population, in this text should be understood in full compliance with the United Nations Security Council Resolution 1244.

The analysis of the general situation of the Roma-related policies has produced the following conclusions:

A legally planned policy has been set, aimed at taking positive action to increase the number of Roma employed with particular institutions. However, despite the affirmative nature of the legal framework, the level of representation of the Roma community corresponding to its share of the total population of North Macedonia, has not been achieved. As for establishing the civil status, a serious step forward has been taken with the adoption of the Law amending and supplementing the Law on Civil Registration Records, the Law amending and supplementing the Law on Registration of Permanent and Temporary Residence, the Law amending and supplementing the Law on Identity Cards, and the Law amending and supplementing the Law on Nationality of North Macedonia. In addition to this group of laws, in 2020 North Macedonia passed the Law on Unregistered Persons in the Birth Register, which created a partial solution for registering individuals that have not been recorded in the registers. This law does not constitute a systemic solution, rather, merely a temporary solution for the unregistered persons to become registered so as to exercise a limited number of rights pertaining to the socio-economic rights guaranteed by the Constitution of North Macedonia.

As far as the right to equality is concerned, i.e. prevention and protection against discrimination and segregation, great success has been achieved through the established institutions, but the effort remains to create effective policies to overcome stereotypes and prejudices, especially in the area of education and health services.

Secondly, there has been a moderate development in terms of socio-economic conditions, as poverty in the Roma community is present and the representation of the socially disadvantaged

households is still one of the major challenges of the socio-economic policies in North Macedonia. As part of the employment measures, the number of beneficiaries from the Roma community using these measures has increased, which shows that there is an increased interest to participate in the labour market. This is due to the long-term measures in the education and training sector through which citizens can acquire job skills that are increasingly in demand on the labour market.

Thirdly, there is inconsistency in collecting and managing the official information and data derived from monitoring and evaluation of the implemented policies concerning the improvement of the situation of the Roma people in North Macedonia, which makes it impossible to create consistent strategic policies and measures for further advancement and improvement. This is evident from the fact that there is no consistent indicator-based reporting in North Macedonia regarding the results achieved from the Decade of Roma Inclusion 2004-2014, as well as from the implemented Roma Strategy 2014-2020.

The analysis carried out as part of this Report aims to provide insight into the policies and measures taken with regard to the implementation of the OSCE Action Plan in order to determine the level of implementation of the recommendations for improving the situation of the Roma population in North Macedonia.

The conclusions and recommendations of this Report should help the competent institutions and political factors, as well as other relevant factors and stakeholders to further develop policies and measures on inclusion and integration, which will contribute to the improvement of the situation of the Roma community in North Macedonia.



# I METHODOLOGY

This report was prepared in the period between June and September 2024. Considering the fact that this Report is an update of the “Status Report concerning the Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” by Giorgia Demarchi published in December 2010 in Skopje, we were obliged to follow the original methodology of 2010. Therefore, as part of the process of developing the Report, initially, publicly disclosed data were gathered and researched from various institutions, international organisations, programmes and projects implemented by national or international organisations, civil society organisations and experts who have directly or indirectly analysed the situation of the Roma community in different segments, status, rights and freedoms, health status, social standing, education, involvement in public life, representation in public institutions, mass media etc.

The second step after gathering the most fundamental information was to hold meetings or interviews with representatives of key stakeholders in the process of improving the situation of the Roma in North Macedonia. The interviews were conducted with various groups of stakeholders, initially with representatives of the executive branch, starting with the Minister without Portfolio in charge of Integration and Implementation of the

Roma Inclusion Strategy 2022-2030 in the Government of North Macedonia appointed in June 2024, heads of various sectors in ministries, officials who are actively involved in the National Coordinating Body for Monitoring the Implementation of the Roma Inclusion Strategy 2022-2030, civil society organisations and experts who are directly or indirectly involved in monitoring the development of the Roma community. These interviews provided valuable insights as participants shared their observations and analytical perspectives on Roma issues for the period between 2011 and 2024, covering experiences from the Roma Decade 2005-2015 and the Roma Strategy 2014-2020.

After conducting the interviews, a comparative method was used to verify the data and information that was collected and analysed, by comparing the sources of this information and data. To this end, “shadow reports” were used that were prepared under the programmes and projects implemented by civil society organisations and international and national experts. This review was of particular importance because there is no consistency in the public disclosure of reports and data related to the implementation of the Roma Decade 2005-2015, the Roma Strategy 2014-2022, the Action Plan and the initial implementation of the current Roma Inclusion Strategy 2022-2030.

Hence, of particular importance for this Report were the analyses and reports of the civil society organisations that are actively involved in monitoring the situation of the Roma community in the segments covered by scope of the Report itself, such as Romalitiko, HERA, Initiative for Shuto Orizari Women's Rights, National Roma Centrum Kumanovo, Macedonian Young Lawyers Association, Macedonian Helsinki Committee, Association for Emancipation, Solidarity and Equality of Women (ESE) and others.

Considering the comprehensiveness of this Report and its content following the 2010 Report, a serious effort has been made to give as realistic perspective as possible to the development of the situation of the Roma in the period between 2011 and 2024, which is a rather long period of time. This process is partly limited by the lack of publicly disclosed data on processes, activities and efforts carried out over a 15-year period.

However, this document also takes account of the impressions and the work of all stakeholders and provides an information-based overview and consultation process on the situation and the progress across several dimensions affecting the Roma in North Macedonia over the past two decades.

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### **Progress Following the Adoption of the OSCE Action Plan**

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Despite the limited progress since the adoption of the Action Plan in 2003, in the period between 2010 and 2024, North Macedonia has shown serious political commitment to the improvement of the situation of the Roma community. These efforts throughout this relatively long period are reflected in the fact that the Government has made their programmes a priority as well as through the special strategic documents in various sectors, such as social policy, health care, education, employment, justice, and others. Through these steps and actions, North Macedonia has clearly

demonstrated that the position of the Roma on its territory has constantly been on the political agenda. This is evident from the active participation of North Macedonia both in the Berlin Process and as one of the signatories to the Declaration on Roma Integration signed in Poznan in July 2019.

However, despite these political commitments, the results are neither proportionate nor completely satisfactory in all segments concerning the Roma community in North Macedonia. The reason for this is that the state itself does not provide adequate conditions for fulfilling these commitments, as evidenced by the established institutional capacities as well as the financial resources allocated for the improvement of the situation and inclusion in all social segments of the Roma in North Macedonia, both during the Roma Decade and during the implementation of the two subsequent strategies.

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### **Adopting Strategies**

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North Macedonia has translated the political commitments of the regional and international levels into its national strategic documents. Namely, as provided by in the 2010 Report, and in accordance with Recommendation 4 of the AP, the Government at the time, had developed a *"Roma Strategy for the Republic of Macedonia"* (December, 2004), which was to pave the way for the implementation of the 2003 Action Plan, and at the same time to create conditions for the implementation of the Roma Decade for the period 2005-2015. In order to encourage an even greater commitment to improve the situation of the Roma, the Assembly of the Republic of Macedonia (at the time) on 01.04.2011 adopted the Declaration on the Advancement of the Status and Rights of the Roma.<sup>2</sup> With this document, the Assembly, as the legislative branch, has encouraged the Government

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<sup>2</sup> Declaration on the Advancement of the Status and Rights of the Roma adopted at the session held on 01.04.2011, published in The Official Gazette of RM No. 42/11.

and the state authorities, as the executive branch, and other relevant stakeholders, such as the civil society sector, local self-government authorities, economic entities, scientific and cultural institutions and the media to take further strengthening and efficient measures and policies to promote the rights and social and economic position of the Roma and the Roma community in the country.

The Government of the Republic of Macedonia (at the time), in an attempt to ensure consistency of its Roma inclusions policies, in 2014 adopted the *“Roma Strategy of the Republic of Macedonia 2014-2020”*.

Following the implementation of the *“Roma Strategy of the Republic of Macedonia 2014-2020”*, the Government of North Macedonia, taking into account the results it achieved, and the guidelines resulting from its implementation, and keeping in line with the adopted 2019 Poznan Declaration, the Work Programme of the Government of North Macedonia 2020-2024, and the 10-year EU Roma Strategic Framework for Equality, Inclusion and Participation 2021-2030 adopted by the European Commission in October 2020, in 2022 adopted the current *Roma Inclusion Strategy 2022-2030*.<sup>3</sup>

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## Establishment of Institutions

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In the period between 2010 and 2024, the institutions that were set up during the Roma Decade 2005-2015 were responsible for implementing the strategic documents – the Strategy 2014-2020 and the Strategy 2022-2030. The Ministry of Labour and Social Policy was the main focal point for implementing the strategic documents in the period between 2011 and 2024, but with the new

organisation of the public administration<sup>4</sup> this responsibility will now be passed on to the Ministry of Social Policy, Demography and Youth, which will retain the Strategy Implementation Unit as part of the Sector for Coordination and Technical Assistance to the Minister.<sup>5</sup>

Within the framework of strategic documents implementation, the body that should be in charge of monitoring and directing the implementation of the strategies and policies on Roma social inclusion and integration is the National Coordinating Body (NCB), which gathers representatives of state institutions and civil society organisations. This body is responsible for the effective intersectoral coordination in the process of Roma strategies implementation, and is also the body that is in charge of collecting all the data into a single Roma social inclusion database. In addition to the national institutions and civil society organisations, representatives of international institutions and organisations (OSCE, USAID, EU, and others) are also expected to participate as observers.

In 2018, within the Assembly of the Republic of Macedonia (at the time), an “Inter-Party Parliamentary Group for the Rights of the Roma in the Republic of Macedonia” was formed, which brings together MPs from the existing parliamentary group from different political parties<sup>6</sup>. The Inter-Party Parliamentary Group for Supporting the Roma was re-established in February 2021 from the ranks of the 2020-2024 parliamentary structure, in order to support the implementation of the Roma Inclusion Strategy 2022-2030 through

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<sup>3</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

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<sup>4</sup> According to Article 28, Point 4 of the Law amending and supplementing the Law on the Organisation and Work of Public Administration Bodies (The Official Gazette of North Macedonia No. 121/24).

<sup>5</sup> <https://www.mtsp.gov.mk/sektori.nspk>.

<sup>6</sup> [https://www.sobranie.mk/sredbi-2018-ns\\_article-osnovanje-na-interpartiska-parlamentarna-grupa-za-pravata-na-romite-vo-republika-makedonija.nspk](https://www.sobranie.mk/sredbi-2018-ns_article-osnovanje-na-interpartiska-parlamentarna-grupa-za-pravata-na-romite-vo-republika-makedonija.nspk).

coordination with legislature representatives and by advancing the legislation directly pertaining to the Roma community.<sup>7</sup>

With the formation of the Government of North Macedonia in July 2024, the position of a Minister without Portfolio in charge of Roma Issues, originally introduced in 2008, was now re-established. In early 2021, instead of a Minister without Portfolio in charge of Roma Issues, an Advisor on Roma Issues was appointed in the Cabinet of the Prime Minister of North Macedonia. In 2021, pursuant to the Minutes adopted at the 44th session of the Government of North Macedonia, an Advisor on Roma Inclusion was appointed to the Prime Minister of North Macedonia as the National Contact Point for the Roma in North Macedonia for implementation of activities from the International Roma Integration Initiative 2020.<sup>8</sup> The reinstitution of the position of Minister without Portfolio in charge of Roma Issues created an opportunity for a greater political influence on designing and implementing policies to address the problems faced by the Roma in North Macedonia.

## State Budget

By implementing its policies for the improvement of the Roma situation, despite the fact that it has shown serious political commitments and has adopted the key strategic documents, North Macedonia has nevertheless failed to provide sufficient financial and material resources to implement these policies and to achieve the expected results as projected and adopted by governmental institutions. In the period between 2011 and 2024, not once was the annual budget, earmarked for improving the situation of the Roma fully utilised, not even during the Roma Decade. In 2024, the state budget allocated for the Roma stands at about 60,000,000 denars, which after the budget rebalance, was then reduced by 10-20% in allocations earmarked for health and social services. The increased budget of the Ministry of Health from 4,100,000 denars to 6,000,000 denars was welcomed, but was then reduced to 5,000,000 denars with the budget rebalance. As far as infrastructure is concerned, which is under the jurisdiction of the Ministry of Transport and Communications (at the time), there was also an increase in the budget for infrastructure projects, with the initial 15,000,000 denars increased to 20,000,000 denars<sup>9</sup> in 2024, earmarked to be used for infrastructure projects in municipalities with Roma settlements and neighbourhoods.

<sup>7</sup> <https://www.sobranie.mk/detali-na-klub.nsp?groupId=27110861-4a40-42f2-8011-9cb2be5dd730>.

<sup>8</sup> Minutes of the 44th session of the Government of the Republic of North Macedonia dated 9 February 2021.

<sup>9</sup> <https://mtc.gov.mk/media/files/2024/Budzet%20na%20MTV%202024.pdf>.

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## Adoption of the National Legislation

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The national legislation in North Macedonia, which has a direct impact on resolving issues related to the situation of the Roma, is on a remarkable level, both in terms of legislative regulation and in terms of the effects achieved by specific laws. In 2011, the Law on the Treatment of the Illegally Constructed Buildings<sup>10</sup> was adopted which allowed the citizens in the Republic of Macedonia (at the time) “to legalise” i.e. to secure a legal status for structures which did not have the status of legal buildings. It isn’t possible to measure the effect of this Law in terms of the extent to which the position of the Roma community has improved, as no ethnically disaggregated statistics exists regarding the filed applications and the legalised structures. However, according to the social mapping data, about 30% of the Roma have not yet legalised their residences on account of non-existent urban plans in municipalities for their specific neighbourhoods or on account of their inability to cover the financial costs.<sup>11</sup>

Drawing on the basic commitment to prevent and combat discrimination and segregation, in 2010, the Assembly of the Republic of Macedonia (at the time) passed the Law on Prevention and Protection against Discrimination<sup>12</sup>, which was in force until 2015. This Law introduced a special mechanism for protection against discrimination, namely, the Commission for Protection against Discrimination, which was the first ever mechanism specifically introduced for protection against discrimination. Following the adoption of the 2010 law, three laws

were passed consecutively, in 2015, 2019,<sup>13</sup> and the last one in 2020<sup>14</sup>, which is still in force. The 2020 Law introduced all the basic definitions, including on segregation, which was not provided for by the first Law on Prevention and Protection against Discrimination of 2010, which extended the powers of the Commission.

The Law on Free Legal Aid was passed in 2009 and was in force until 2019. This Law, although enacted to provide free legal aid to persons who were unable to exercise their rights, did not yield the expected results, which is why a new Law on Free Legal Aid was enacted in 2019, which enhanced the opportunities for providing free legal aid by ensuring grants to civil society organisations and legal clinics that provide free legal aid, by relaxing the requirements for determining the property status when providing secondary legal aid, by allowing exemptions from court and administrative fees etc.

From the total number of people (2909) who have received primary legal aid in 2023 across all regional units, 280 were members of the Roma ethnic community.<sup>15</sup> Two Roma civil society organisations – the National Roma Centrum and KHAM Delchevo – were providers of primary legal aid.

Of particular importance for addressing the housing issue of the Roma people and their civil status

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**10** Law on the Treatment of the Illegally Constructed Buildings (The Official Gazette of the Republic of Macedonia No. 23/11).

**11** <https://romalitico.org/wp-content/uploads/2024/02/shadow-report-implementation-of-the-roma-strategy-20212022-mk.pdf>.

**12** Law on Prevention and Protection against Discrimination (The Official Gazette of RM No. 50/2010).

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**13** Law on Prevention and Protection against Discrimination (The Official Gazette of North Macedonia No. 101/2019).

**14** Law on Prevention and Protection against Discrimination (The Official Gazette of North Macedonia No. 258/2020).

**15** <https://www.pravda.gov.mk/Upload/Documents/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%202,023%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D0%B0.pdf>

are the 2009 Law on Housing<sup>16</sup>, the Law on Civil Registration Records<sup>17</sup>, and the Law amending and supplementing the Law on Citizenship of North Macedonia<sup>18</sup>, which created an opportunity for the Roma, as the largest community of undocumented and stateless persons, to regulate their status in order to enjoy all the rights and freedoms guaranteed by the Constitution of North Macedonia.

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**16** Law on Housing (The Official Gazette of the Republic of Macedonia Nos. 99/09, 57/10, 36/11, 54/11, 13/12, 55/13, 163/13, 42/14, 199/14, 146/15, 31/16, and 64/18; and The Official Gazette of the Republic of North Macedonia Nos. 302/20, and 150/22).

**17** Law on Civil Registration Records (The Official Gazette of the Republic of Macedonia Nos. 8/95, 38/02, 66/07, 67/09, 13/13, 43/14, 148/15, 27/16, and 64/18; and The Official Gazette of the Republic of North Macedonia Nos. 14/20, and 129/23).

**18** Law amending and supplementing the Law on Citizenship of the Republic of Macedonia (The Official Gazette of the Republic of North Macedonia No. 174/2021).

# HOW FAR HAS THE REPUBLIC OF NORTH MACEDONIA PROGRESSED?

## Chapter III of the Action Plan – Combating Racism and Discrimination

### I. Legislation and Law Enforcement

**7) Consider ratifying the relevant international treaties as soon as possible, if they have not already done so, *inter alia*, the International Convention on the Elimination of All Forms of Racial Discrimination.**

North Macedonia has signed and acceded to most of the international documents guaranteeing fundamental freedoms and human rights.

In 2015, North Macedonia, as a signatory to the International Convention on the Elimination of All Forms of Racial Discrimination, submitted the Report to the Committee on the Elimination of All Forms of Racial Discrimination,<sup>19</sup> in which it reviewed the steps taken within the Roma Decade 2005-2015.

The report focuses on the segregation of Roma children in the educational process, the need to address the issue of Roma housing, underage marriages, problems related to street children, children addicted to drugs, and, in particular, the problem of children who are not registered in

the civil registers. In addition, the Committee has made clear recommendations for overcoming these problems by providing appropriate conditions for improving the Roma situation in North Macedonia.<sup>20</sup>

**8) Adopt and implement effective anti-discrimination legislation to combat racial and ethnic discrimination in all fields, including, *inter alia*, access to housing, citizenship and residence, education, employment, health and social services. Involve Roma and Sinti representatives in the design, implementation and evaluation processes.**

In October 2020, the Assembly of North Macedonia adopted the current Law on Prevention and Protection against Discrimination<sup>21</sup>. This law is fully aligned with the relevant European Union documents on ensuring equal treatment, i.e. Council Directive 2000/78/EC of 27 November 2000, establishing a general framework for equal treatment in employment and occupation; Council Directive 2004/113/EC of 13 December 2004, implementing the principle of equal treatment between men and

<sup>19</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2F%2FMRD%2FCO%2F8-10&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2F%2FMRD%2FCO%2F8-10&Lang=en)

<sup>20</sup> [https://www.ohchr.org/en/search?f%5B0%5D=country\\_taxonomy\\_term\\_name%3ANorth%20Macedonia&page=1](https://www.ohchr.org/en/search?f%5B0%5D=country_taxonomy_term_name%3ANorth%20Macedonia&page=1)

<sup>21</sup> Law on Prevention and Protection against Discrimination (The Official Gazette of the Republic of North Macedonia No. 258/2020).



women in the access to and supply of goods and services; and Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.

The Commission for Prevention and Protection against Discrimination consists of 7 members elected by the Assembly of North Macedonia, which also provides the budget for the work of the Commission. Following the adoption of the law, the Commission assumed an active role as a leader in the fight against discrimination in North Macedonia. The members of the current composition are distinguished professionals from the civil society sector as well as from state institutions. One of the members of both the previous and the current composition is of Roma background.

According to the Law, in addition to handling the complaints, the Commission also has jurisdiction to bring legal proceedings and to act as an intervener in court proceedings for protection against discrimination, as well as to request that the court allow it to act as a ‘friend of the court’ (*amicus curiae*) at the request of a party or on its own initiative.

In the period between 2021 and mid-2024, the Commission found discrimination against Roma in 23 cases relating to segregation, racial profiling, and discrimination in the use of public goods and services.<sup>22</sup>

When it comes to the registration of unregistered persons, the Law on Unregistered Persons in the Birth Register was passed at the end of January 2020. In its 2022 Progress Report on North Macedonia, the European Commission notes that, out of the 700 unregistered persons, 318 applications have been submitted for registration in the Spe-

cial Birth Register, 292 persons of which were entered.<sup>23</sup>

A permanent solution to the issue of unregistered persons in the Birth Register was made by the Law amending and supplementing the Law on Civil Registration Records<sup>24</sup>, which was initiated and monitored by the Committee on the Political System and Inter-Ethnic Relations and the Inter-Party Parliamentary Group for the Rights of the Roma in the 2020-2024 parliamentary composition. These parliamentary bodies have shown a serious commitment to the implementation of a permanent solution for persons not registered in the Birth Register as well as for newborns born on the territory of North Macedonia, first by organising a supervisory hearing, and then by directly monitoring the process of registration of individuals in the Birth Register. According to the most recent report of the Office for the Management of Civil Registers, 342 newborns are in the process of having their personal names determined, of which, 62 cases have already been answered, whereas 280 are still pending response from the social work centres.<sup>25</sup>

According to the information from the Ministry of Social Policy, Demography and Youth (at the time, the Ministry of Labour and Social Policy), “With regard to the activities undertaken by the Office for the Management of Civil Registers in the period between March 2023 and the current first quarter of 2024, as part of the implementation of the Law amending and supplementing the Law on Civil Registration Records (The Official Gazette of North Macedonia No. 129/23), a total of 460 additional entries were made in the Birth Registers for individuals from this vulnerable category, out of the 526 identified unregistered persons”. Of the remaining 66 people, 7 individuals are deceased, the proceedings are still pending for 2 individuals, and

<sup>22</sup> <https://kszd.mk/odluki-i-mislenja/>.

<sup>23</sup> <https://www.sep.gov.mk/post/?id=5657>

<sup>24</sup> Law amending and supplementing the Law on Civil Registration Records (The Official Gazette of the Republic of North Macedonia No. 129/2023 of 21.06.2023).

<sup>25</sup> Interview with Sonja Mirakovska, MP in the Assembly of the Republic of North Macedonia, held on 02.10.2024.



26 individuals are either not interested or cannot be contacted. Of the 460 persons who obtained Extracts from the Birth Register [birth certificates], 296 were holders of a unique master number of the citizen [personal identification number], 164 had no such number, whereas only 10 individuals had obtained identity documents.<sup>26</sup>

## 9) The anti-discrimination legislation should ensure:

### a. Prohibition of both direct and indirect racial discrimination.

In its Chapter II, the 2020 Law on Prevention and Protection against Discrimination clearly defines the forms and types of discrimination as being direct and indirect discrimination, calling for, instructing and inciting discrimination, harassment, victimisation, segregation, as well as more severe forms of discrimination.

### b. Imposition of effective, proportionate and dissuasive sanctions for discriminatory acts or practices.

The 2020 law, like previous laws, provides for criminal sanctions aimed at general prevention, both for natural and legal persons ranging from €50 to €10,000 in denar equivalent depending on the violation of the law by the offender. Under the law, the Commission has jurisdiction to file an application to initiate misdemeanour charges before the competent court of misdemeanours, where the misdemeanour proceedings are conducted and a misdemeanour sanction is imposed in accordance with the provisions of the Law on Prevention and Protection against Discrimination.

The procedure for discriminatory behaviour and discriminatory actions is also provided for by the

<sup>26</sup> Interview with Ljatif Šikovska, NGO activist and former MP in the Assembly of the Republic of North Macedonia, held on 27.09.2024.

Constitution of North Macedonia and the Rules of Procedure of the Constitutional Court,<sup>27</sup> where Article 110 Paragraph 1 Indent 3 specifies that “The Constitutional Court of North Macedonia: shall protect the freedoms and rights of citizens relating to freedom of belief, conscience, opinion and public expression of opinion, political association and action and the prohibition of discrimination against citizens on the grounds of sex, race, religion, national, social and political affiliation.” In addition to the constitutional and criminal legal framework, the protection and sanctioning of discriminatory behaviour and commission of discriminatory acts is provided for by the Criminal Code in its Article 137 – Violation of the equality of citizens, Article 319 – Incitement of hatred, discord or intolerance on national, racial, religious and other grounds for discrimination, Article 394-d – Dissemination of racist and xenophobic material by means of a computer system, and Article 417 – Racial and other discrimination.<sup>28</sup>

### c. Imposition of heavier sentences for racially motivated crimes by both private individuals and public officials.

The Criminal Code was amended in 2014 in two aspects concerning criminal offences motivated by discrimination and unequal treatment. The first aspect was the exclusion of Article 173 – Causing offence by a means of a computer due to race, religion, ethnic background and colour, on account of decriminalisation of **crimes against honour and reputation, whereas the second aspect was the introduction of the criminal offence of hate speech through the introduction of Article 319** – Inciting hatred, discord or intolerance

<sup>27</sup> Act of the Court – Constitutional Court of North Macedonia

<sup>28</sup> Criminal Code (The Official Gazette of the Republic of Macedonia Nos. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 7/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12, 55/13, 82/13, 14/14, 27/14, 28/14, 41/14, 115/14, 132/14, 160/14, 199/14, 196/15, 226/15, 97/17, and 248/18; and The Official Gazette of the Republic of North Macedonia Nos. 36/23, and 188/23).

on national, racial, religious and other discriminatory grounds, by way of the Law amending and supplementing the Criminal Code (The Official Gazette of the Republic of Macedonia No. 27/2014), which is made punishable by imprisonment of up to five years, and if the criminal offence has been committed through abuse of power or position, or it has further caused disorder or violence, it is punishable by up to ten years in prison. The penal policy for this criminal offence has been set rather strictly considering the specified statutory punishments.

**d. Equal access to effective remedies (judicial, administrative, conciliation or mediation procedures).**

Citizens' access to mechanisms for protection against discrimination is completely free of administrative barriers given the way in which applications are filed with the Commission for Protection against Discrimination and with the Ombudsman. In addition to these two institutions, citizens who have been subjected to discrimination can also address any body competent to deal with prevention and protection against discrimination, including the Standing Inquiry Committee for Protection of Civil Freedoms and Rights in the Assembly of North Macedonia.

However, there are still hidden costs incurred by individuals wishing to report discrimination (transportation costs, photocopying of evidence etc.), which have nevertheless been drastically reduced, as the new Law on Free Legal Aid provides for the organisation of legal assistance in a way that is easily accessible by the citizens, through civil society organisations authorised to provide primary legal aid. This is evident from the fact that, according to Ministry of Justice reports, there has been a drastic increase in Roma people seeking primary legal aid. Namely, 53 Roma individuals received primary legal aid in 2020, 112 Roma individuals received

primary legal aid in 2021, whereas 257 Roma individuals received primary legal aid in 2022.<sup>29</sup>

Information on discrimination prevention mechanisms are provided by a number of stakeholders. In 2018, a campaign was conducted in six municipalities by the network of organisations awarded sub-grants from the project "Prevention of Discrimination against Roma Children" funded by the European Union. In 2021, the network ran a "Discrimination Ends With Me" campaign encouraging the citizens to report discrimination.<sup>30</sup>

**10) It should be ensured that national legislation prohibits all kinds of discriminatory acts and that all cases of suspected discrimination are thoroughly and objectively investigated.**

In the Constitution of North Macedonia, the prohibition of discrimination has been provided for in Article 9 as the first constitutional civil right, enshrined in Chapter II – 'Basic Freedoms and Rights of the Individual and the Citizen'. Article 9 reads: "Citizens of the Republic of Macedonia are equal in their freedoms and rights, regardless of sex, race, colour of skin, national and social origin, political and religious beliefs, property and social status. All citizens are equal before the Constitution and law." This provision is further elaborated in Chapter 2 of the Law on Prevention and Protection against Discrimination, which defines the forms and types of discrimination.

The state has established four effective mechanisms, the first being the procedure provided for in Article 110 of the Constitution which is conducted before the Constitutional Court of North Macedonia; the second mechanism that has shown a rather high level of effectiveness is the Commission for Prevention and Protection against Discrimination; the third safeguarding mechanism is the actions

<sup>29</sup> <https://www.pravda.gov.mk/resursi/10>

<sup>30</sup> <https://mzd.mk/mk/vesti/zapocna-kampanata-diskriminacijat/>.

taken by the Ombudsperson; and the last one is the established judicial protection in criminal and civil proceedings.

**11) Create, where appropriate, specialized institutions to ensure the implementation of such legislation, as well as domestic mechanisms to monitor and report regularly and with transparency on the progress achieved in its implementation. Encourage participation of Roma and Sinti representatives in such bodies, whose work should be accessible to the public.**

In order to reiterate the need to promote equality and fairness, a member of the Commission for Prevention and Protection against Discrimination, as in all previous compositions since 2020, has always been of Roma background. So far, a member of the Roma community has served as the President of the Commission on two occasions.

This practice was previously established within the Office of the Ombudsperson, where one of his deputies was a Roma woman, which served as a good example to encourage the other Roma women to actively engage in social processes and in active policy making so as to improve the status of Roma women in North Macedonia. However, no Roma woman has yet been elected to the position of a judge, nor has a Roma been elected to the position of a Public Prosecutor, or that of a Judge in the Constitutional Court of North Macedonia.

**12) Develop, where necessary, comprehensive national strategies or action plans to improve the situation of Roma and Sinti people, which include specific measures to tackle discrimination in all fields of life.**

Within the framework of the *“Roma Strategy of the Republic of Macedonia 2014-2020”*, priorities were given to the following areas: employment, educa-

tion, housing, health and culture, but no special mechanisms or measures were envisaged for prevention and protection against discrimination and segregation of the Roma.

In the *Roma Inclusion Strategy 2022-2030*, the prevention of discrimination against the Roma was formulated in the very vision of the Strategy, in its main goals and principles.

A specific objective for preventing and combating discrimination against the Roma has been provided for in Strategic Objective 5 – ‘Development, nurturing and promotion of Roma culture, language and traditions’, where it is envisaged as a Specific Objective 4 – ‘Better promotion and familiarisation of others with the Roma culture and reducing stereotypes and discrimination, hate speech, negative perceptions and anti-Roma narratives in the society’, in order to contribute to the printing of textbooks that better represent the Roma people and the Roma culture in educational contents, cultural products with a more complex representation of the Roma community/identity and culture, and better acceptance and recognition of Roma cultural workers and artists.<sup>31</sup>

The Strategy also provides for the Strategic Objective 8 – ‘Elimination of forms of manifestation of antigypsyism and reduction of discrimination against the Roma’, which refers to the reduction of discrimination against the Roma that is present in North Macedonia, and its indicator of success predicts that by 2030, there should be a decrease in the percentage of Roma people who have faced some form of discrimination. As part of this strategic objective, the following specific objectives have been envisaged: ‘Identifying the concept of antigypsyism in public policies and domestic legislation’, ‘Improving the institutional and policy frame-

<sup>31</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

work', 'Supporting the victims of discrimination and access to justice', and 'Dismantling and preventing institutional discrimination experienced by the Roma'.<sup>32</sup>

**13) Assess on a regular basis, especially at the local level, the results of these strategies and involve Roma and Sinti communities in the evaluation process.**

Within the framework of the Roma Strategy 2014-2020 and the Roma Strategy 2022-2030, local plans were adopted to improve the situation of Roma at the municipal and local level.

As part of the Roma Strategy 2014-2020, in the period between 2017 and 2020, local action plans were adopted in several municipalities, concerning employment, education, health and Roma women. Such local action plans covering the period 2017-2020 were adopted by the Municipality of Berovo, Municipality of Delchevo, Municipality of Shtip, and Municipality of Tetovo, whereas local action plans covering the period 2018-2020 were adopted by the Municipality of Shuto Orizari, Municipality of Bitola and Municipality of Kumanovo.

Following the adoption of the Roma Inclusion Strategy 2022-2030, municipalities have proceeded with developing and adopting Local Actions Plans for the Roma. With support from the civil society organisation ROMALITIKO, 14 municipalities have developed Local Action Plans for the Roma for the period 2023-2026.<sup>33</sup>

Through the implementation of these local action plans, it will be possible to evaluate the effects and the results of the Strategy at the local level, by measuring the extent of measures and actions implemented and by assessing their effectiveness.

<sup>32</sup> Ibid.

<sup>33</sup> <https://romalitico.org/23/04/2024/publikacii/usvoeni-lokalni-akcioni-planovi-za-romi/>

**14) Endeavour, by encouraging a genuine dialogue or consultations or through other appropriate means, to improve the relations between Roma and Sinti people and other inhabitants, with a view to promoting tolerance and overcoming prejudices and negative stereotypes on both sides.**

As of 2024, no special mechanisms have been developed in North Macedonia through which the state could provide conditions for communication between the Roma and the other citizens.

However, the Government of North Macedonia has set as one of its strategic goals to promote the concept of "One Society", as part of which the National Strategy for the Development of One Society and Interculturalism 2020-2022 was adopted in 2019.<sup>34</sup> The main objective of this Strategy was to promote the conditions of equality, equity, inclusion and engagement in social developments of various identity, gender, cultural, ethnic communities as well as of vulnerable and marginalised groups of citizens. Following the implementation of this Strategy, the Government of North Macedonia adopted the National Strategy for the Development of Interculturalism and Social Cohesion 2024-2026. This Strategy has envisaged the implementation of public policies in several related and interlinked areas and is divided into five (5) priority areas: institutions, intercultural policies, social cohesion, education and media. The development of the strategies was carried out through a broad participatory process in which over 140 civil society organisations were involved.

Within the framework of these strategies, the situation of the Roma in North Macedonia was also covered, and measures were included to specifically ensure that the Romani language will be studied in schools, but these strategic documents had no greater focus on the Roma population in North Macedonia.

<sup>34</sup> [https://vlada.mk/sites/default/files/dokumenti/strategii/strategija\\_ednoopshtestvo\\_29.10.2019.pdf](https://vlada.mk/sites/default/files/dokumenti/strategii/strategija_ednoopshtestvo_29.10.2019.pdf)

**15) Document, consistent with national and international standards on the protection of data, all types and relevant cases of discrimination in order to better assess the situation and respond to the needs of Roma and Sinti people.**

In terms of identifying and reporting discrimination against Roma, a series of campaigns were carried out by the civil society sector, supported by the European Delegation. In 2018, a campaign was implemented in six municipalities by the network of organisations awarded sub-grants from the project “Prevention of Discrimination against Roma Children”, funded by the European Union. During the campaign, a total of 800 T-shirts, 10,000 flyers and over 600 posters were distributed on the territory of the Municipalities of Kumanovo, Kriva Palanka, Kochani, Shtip, Prilep and Kichevo, disseminating the campaign’s message through project activities. The distributed flyers included information about the toll-free telephone line, email, and the Facebook group where citizens could report cases of discrimination<sup>35</sup>.

In addition to these campaigns, the Commission for Prevention and Protection against Discrimination and the Ombudsperson also took an active part in documenting, keeping statistics on filed complaints and established cases of discrimination against Roma.

In the period between 2021 and mid-2024, the Commission found discrimination against Roma in 23 cases relating to segregation, racial profiling, and discrimination in the use of public services and facilities.<sup>36</sup>

**16) Ensure the vigorous and effective investigation of acts of violence against Roma and Sinti people, especially where there are reasonable grounds to suspect that they were racially motivated, and prosecute those responsible in accordance with domestic law and consistent with relevant standards of human rights.**

As stated in Paragraph 9 above, the Criminal Code of North Macedonia provides for four separate criminal offences that are deemed to be discriminatorily, racially, ethnically, and religiously motivated.<sup>37</sup> The 2014 amendments to the Criminal Code introduced the criminal offences of hate speech, i.e. Article 319 – ‘Inciting hatred, discord or intolerance on national, racial, religious and other discrimination grounds’.<sup>38</sup>

Basically, the investigations of these criminal offences do not have any special status, rather, they are conducted in the same way as investigations into any ordinary criminal offence. In the period up to 2020, the Public Prosecutor’s Office of North Macedonia did not keep statistics on the prosecution of hate crimes and discrimination. This has also been noted by the Council of Europe in its Data Collection Analysis on Hate Speech and Hate Crimes as part of the “Horizontal Facility for the Western Balkans and Turkey II 2019-2022”, “Promotion of diversity and equality in North Macedonia”<sup>39</sup>, which states “However, the annual report of the Public Prosecutor of North Macedonia for 2020 does not contain a separate section or any data related to hate speech and hate crime i.e.

<sup>35</sup> <https://www.nationalromacentrum.org/mk/vesti-i-slucuvanja/kampanjata-shest-opshtini/>.

<sup>36</sup> <https://kszd.mk/odluki-i-mislenja/>.

<sup>37</sup> Criminal Code (The Official Gazette of the Republic of Macedonia Nos. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 7/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12, 55/13, 82/13, 14/14, 27/14, 28/14, 41/14, 115/14, 132/14, 160/14, 199/14, 196/15, 226/15, 97/17, and 248/18; and The Official Gazette of the Republic of North Macedonia No. 36/23, and 188/23).

<sup>38</sup> Law amending and supplementing the Criminal Code (The Official Gazette of the Republic of Macedonia No. 27/2014).

<sup>39</sup> <https://rm.coe.int/data-collection-analysis-on-hate-speech-nm-mkd/1680a9485b>



the collected data are not disaggregated by hate crime, hate speech, discrimination and do not include other particularly vulnerable category of persons or state the relevant characteristics of the victim". But in 2021, a change was made in that a separate column was introduced in the Annual Report for the criminal offence referred to in Article 319 – 'Inciting hatred, discord or intolerance on national, racial, religious and other discrimination grounds'<sup>40</sup>. In the period between 2021 and 2023, the Public Prosecutor's Office of North Macedonia recorded 19 reported persons against whom 4 charges and 6 convictions were brought.<sup>41</sup>

Concerning the dissemination of information and training of the police to initiate and conduct effective investigations, the Ministry of the Internal Affairs delivers continuous trainings on identifying and combating hate speech.<sup>42</sup> According to the 2020 Annual Hate Crimes Report prepared by the Helsinki Committee for Human Rights as part of the Project "Support to North Macedonia in Advancing the Rule of Law and Human Rights", which is financially supported by the OSCE Mission to Skopje, in the period between 2015 and 2016, more than 2,000 police officers underwent training on identifying hate crimes.

**17) Ensure no impunity for perpetrators of discriminatory or violent acts, inter alia, by taking prompt and effective investigative and punitive action on the part of the police.**

The number of reported crimes submitted by Roma individuals in the period between 2020 and 2023 remains very low compared to the total number of reports. Namely, out of the 101 reports that were made in 2021<sup>43</sup>, 7 were filed by Roma; out

of the 89 reports filed in 2022<sup>44</sup>, only 2 were filed by Roma; and in 2023,<sup>45</sup> out of the total of 302 reports, 12 were filed by Roma.

When it comes to investigations and actions of the police in cases of discrimination against the Roma, there have been numerous cases in the past of segregation and racial profiling by the police in order to prevent "fake asylum seekers" from leaving the borders of the Republic of Macedonia (at the time). Since the introduction of the visa liberalisation and up until 2016, a policy has been in place of racial profiling of citizens of the Republic of Macedonia (at the time). According to the analysis of the reports prepared by FRONTEX, the United States Bureau of Democracy, Human Rights and Labour, and the Council of Europe, some 20,000 Roma people had been turned back from state border crossings by 2014. Due to the steadily growing trend of this figure over the years, it is safe to assume that some 25,000 Roma individuals would have been turned back from the state borders by the end of 2016. Civil society organisations took this problem seriously on account of the fact that it constituted discrimination only against the Roma people, which is why they filed lawsuits to establish discrimination. The first verdict was delivered in the Basic Civil Court in Skopje, which found discrimination on the grounds of ethnicity. During this period, dozens of court cases were initiated, which mostly resulted in discrimination being established. Although the case law had already been formed, some of the judgements that failed to find discrimination ended up before the European Court of Human Rights, such as the case of *"Dzeladin v. Republic of Macedonia No. 43440/15"*,

<sup>40</sup> <https://jorm.gov.mk/godishen-za-rabotata-na-javnite-obvinitelstva-vo-2021-godina/>.

<sup>41</sup> Ibid.

<sup>42</sup> <https://mvr.gov.mk/vest/24918>.

<sup>43</sup> <https://kszd.mk/wp-content/uploads/2022/03/Godisen-izvestaj-2021.pdf>

<sup>44</sup> <https://kszd.mk/wp-content/uploads/2023/05/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD-%D0%98%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98-2022.pdf>

<sup>45</sup> <https://kszd.mk/wp-content/uploads/2024/05/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98-%D0%BD%D0%B0-%D0%9A%D0%A1%D0%97%D0%94-%D0%B7%D0%B0-2023-%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D0%B0.pdf>

and the recent case of *Memedova and others No. 42429/16*<sup>46</sup>, where the European Court of Human Rights did find discrimination.<sup>47</sup>

This was preceded by the Decision of the Constitutional Court of North Macedonia U.br. 189/2012 of 25 June 2014, which abolished Article 37 Paragraph 1 Point 6 and Article 38 Paragraph 4 of the Law on Travel Documents of the Citizens of the Republic of Macedonia. The Constitutional Court abolished these provisions which were introduced by the Law amending and supplementing the Law on Travel Documents of the Citizens of the Republic of Macedonia (at the time) (The Official Gazette of the Republic of Macedonia No. 135/2011), in that they provided that nationals who were expelled or have returned from another country, should have their travel documents seized for a period of one year.<sup>48</sup> The Constitutional Court held that these provisions were unconstitutional because, in the opinion of the Court, in order for a state to restrict its own citizen in possession of a valid travel document from his right, i.e. from his freedom to leave his own country, there must exist serious and exceptional circumstances, such as those set out in Article 27 of the Constitution. The impugned restriction, although provided for by law, is excessive and disproportionate and cannot fall under the permissible limitations of this right under Article 27 Paragraph 3 of the Constitution. For these reasons, the Court found that the contested provisions of Article 37 Paragraph 1 Point 6 and Article 38 Paragraph 4 of the Law on Travel Documents of the Citizens are contrary to Article 27 of the Constitution.<sup>49</sup> These restrictive provisions were, in fact, introduced because the state

wanted to restrict the right of movement of the so-called “false asylum seekers”, the largest number of whom were Roma, nationals of the Republic of Macedonia (at the time).<sup>50</sup>

**18) Facilitate access to justice for Roma and Sinti people through measures such as legal aid and the provision of information in the Romani language.**

The 2019 Law on Free Legal Aid has drastically facilitated the access to justice for marginalised groups of persons covered by this law. In order to make free legal aid more accessible to all citizens, a public campaign was carried out within the project “Support for Better Access to Higher Quality Free Legal Aid Services in North Macedonia” by providing information materials for free legal aid in Romani language. This project was part of the programme “Horizontal Facility for the Western Balkans and Turkey II 2019-2022”, as a joint project of the European Union and the Council of Europe, and implemented by the Council of Europe<sup>51</sup>.

**19) Take into account the situation of Roma and Sinti women, who are often victims of discrimination on the basis of both ethnicity and sex, in all measures and programmes.**

Roma women in North Macedonia are one of the most marginalised and vulnerable groups exposed to continuous discrimination. This discrimination is based on two grounds: the first is the position of women on the basis of gender, and the second is ethnicity, as members of the Roma community.

In order to overcome stereotypes and prejudices about Roma women and improve their position, the National Action Plan for the Protection, Promotion and Exercise of Human Rights of Roma Wom-

<sup>46</sup> [https://hudoc.echr.coe.int/eng#{%22tabview%22:\[%22document%22\],%22itemid%22:\[%22001-228661%22\]}](https://hudoc.echr.coe.int/eng#{%22tabview%22:[%22document%22],%22itemid%22:[%22001-228661%22]}).

<sup>47</sup> <https://epi.org.mk/post/12618>.

<sup>48</sup> Law amending and supplementing the Law on Travel Documents of the Citizens of the Republic of Macedonia, The Official Gazette of the Republic of Macedonia No. 135/2011.

<sup>49</sup> Decision of the Constitutional Court of the Republic of North Macedonia U.br.189/2012 of 25 June 2014.

<sup>50</sup> Interview with Oliver Mitov, NGO activist and expert on Roma issues, held on 29.08.2024.

<sup>51</sup> <https://www.coe.int/mk/web/skopje/-/helping-roma-community-in-north-macedonia-to-access-free-legal-aid-services>.

en and Girls 2022-2024<sup>52</sup> was adopted in 2021. As part of this Action Plan, 38 activities have been envisaged in six different segments: 1. Enhanced economic independence of Roma women, 2. Providing conditions for completion of formal education for Roma women and girls, 3. Improved effective protection of Roma women against any form of gender-based violence and domestic violence, 4. Enhanced access to justice for Roma women, 5. Enhanced access to health care for Roma women, and 6. Increased participation in public and political life and the cultivation of leadership among Roma women.<sup>53</sup> As for the implementation of this Action Plan, a financial framework hasn't been provided for the implementation of the activities, which poses a direct risk for its implementation. So far, the intensity of the implementation of these activities has been very low, as there aren't any financial resources that have been allocated to the implementation of the activities arising from the Action Plan 2022-2024.<sup>54</sup>

With regard to the measures taken so far to improve the status of Roma women and girls, the most effective were the measures related to education and training aimed at improving the social and economic status of Roma women and girls. These measures include the provision of scholarships in both secondary and higher education, and, at times, in primary education, too.<sup>55</sup>

Moreover, employment measures for Roma women and girls implemented by the Employment Service Agency of North Macedonia have had an effect on their social and economic status, thus im-

proving the position of Roma women both in the Roma community and society at large. However, there are still strong prejudices and stereotypes of Roma women and girls as part of the stereotypes and prejudices of the Roma community in all social segments in North Macedonia.<sup>56</sup>

Nevertheless, direct discrimination is still present in the provision of health services to Roma women and girls, despite the state's commitment to address this situation by providing basic health services. Namely, as elaborated below, the Ministry of Health has, on several occasions made an attempt to provide a primary care gynaecologist in the largest Roma community, Shuto Orizari, and after a long time, the primary care gynaecologist was eventually allocated to practice in this municipality. This is only a small step towards overcoming the issue of unequal access to health services, which the state is obliged to provide on equal terms to all its citizens.

<sup>52</sup> [https://www.mtsp.gov.mk/content/pdf/2022/N%D0%90P\\_za%20zastita%20promocija%20i%20ispolnuvanje%20%20na%20cov.%20prava%20na%20zenite%20i%20devoj%20%20Romki%2015.03.2022.pdf](https://www.mtsp.gov.mk/content/pdf/2022/N%D0%90P_za%20zastita%20promocija%20i%20ispolnuvanje%20%20na%20cov.%20prava%20na%20zenite%20i%20devoj%20%20Romki%2015.03.2022.pdf)

<sup>53</sup> Ibid.

<sup>54</sup> Interview with Nesime Salioska, NGO activist and expert on Roma issues, held on 29.08.2024.

<sup>55</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Shabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>56</sup> Interview with Nesime Salioska, NGO activist and expert on Roma issues, held on 29.08.2024.



## II THE POLICE

### 27) Develop training programmes to prevent excessive use of force and to promote awareness of and respect for human rights.

North Macedonia is facing heavy criticism from the international community over the established excessive use of force by police officers, deemed as a violation by the European Court of Human Rights. In the cases of *"Jashar v. Former Yugoslav Republic of Macedonia"*,<sup>57</sup> *"Dzeladinov v. Former Yugoslav Republic of Macedonia"*,<sup>58</sup> *"Hajrulah v. Former Yugoslav Republic of Macedonia"*, the European Court noted the use of excessive force by police officers in specific cases and found a violation of Article 3 of the European Convention on Human Rights. Moreover, with regard to these specified cases, it was concluded that the state had not undertaken an effective investigation to expose these violations and sanction the perpetrators of the offences.<sup>59</sup>

<sup>57</sup> JASAR v. \_THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA\_.pdf; <https://biroescp.gov.mk/пресуди-и-одлуки-на-рм/јашар-против-република-македонија/>

<sup>58</sup> DZELADINOV AND OTHERS v. "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"; <https://biroescp.gov.mk/wp-content/uploads/2016/12/ЏЕЛАДИНОВ-И-ДРУГИ-ПРОТИВ-РЕПУБЛИКА-МАКЕДОНИЈА.pdf>

<sup>59</sup> HAJRULAHU v. "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"; <https://biroescp.gov.mk/wp-content/uploads/2016/12/ХАЈРУЛАХУ-ПРОТИВ-РЕПУБЛИКА-МАКЕДОНИЈА-Пресуда.pdf>

In 2019, the Geneva Centre for Security Sector Governance (DCAF) developed a **Training Manual on Police Integrity**, as part of the Police Integrity Building Programme (PIBP). DCAF works together with countries, at their request to develop, implement and evaluate projects aimed at elevating police forces up to the highest standards of integrity and professionalism.<sup>60</sup> The Training Manual particularly refers to the introduction of training modules which include separate modules on: Police Misconduct, Controlling Colleagues and Reporting Mistreatment, Gender Equality, Non-Discrimination and Police Integrity. This manual aims to increase the professionalism of police officers through trainings and promote a higher level of respect for human freedoms and rights as well as personal integrity of individuals during police procedures.

Within the Ministry of Internal Affairs, the Internal Control Division, Criminal Investigations and Professional Standards is responsible for dealing with cases of police mistreatment by members of the police. The Ministry of Internal Affairs has adopted a number of documents that regulate the principles and actions of police officers, such as the Ministry of Internal Affairs Police Officers' In-

<sup>60</sup> [https://www.dcaf.ch/sites/default/files/publications/documents/DCAF\\_PIBP\\_Training%20Manual\\_MKD\\_2019\\_web.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_PIBP_Training%20Manual_MKD_2019_web.pdf).

tegrity Strengthening Programme.<sup>61</sup> The Internal Control Division for has no special training or rules of procedure when it comes to complaints lodged by members of the Roma community, nor does it keep special statistics on them; rather, it has a general approach to all complainants regarding police mistreatment.<sup>62</sup> This approach is used to raise the public's awareness about reporting inappropriate policing; the Internal Control Division used flyers and posters to outline the possibility of reporting corruption, police misconduct and other irregularities, both in police stations and at border crossings.<sup>63</sup> For this purpose, the MoIA has also opened a 199 telephone line, where one can report any irregularities related to police work and treatment. Under the current rules, the Internal Control Division is required to act on any report of police mistreatment. The Internal Control Division develops work reports in which it presents the activities of this Division according to its competencies, as well as statistics on specific cases.<sup>64</sup>

The Specialised Unit for Prosecuting Criminal Offences Committed by Individuals Holding Police Powers and Members of the Prison Police was formed, as part of the Basic Public Prosecutor's Office for Prosecuting Organised Crime and Corruption, with the aim to prevent and combat illegal actions.<sup>65</sup>

The MoIA has adopted an Integrity Plan and an Action Plan for implementing the Integrity Plan 2023-2025, which is envisaged to be a preventive tool against corruption, as it aims to promote and strengthen integrity, professionalism, ethics, as well as the application of moral values and professional standards<sup>66</sup>. Meanwhile, the amendments to the Law on the Police and to the Law on Internal Affairs, introduced a mandatory integrity test, which is now in the final stage of preparation before being formally implemented, due to the material and financial implications of the very system for police officers' vetting.<sup>67</sup>

However, despite all these activities, in its 2023 Progress Report on North Macedonia, the European Commission noted that "Cases of discrimination and police brutality on the basis of Roma ethnicity have been recorded, especially against young Roma, girls and Roma in custody".<sup>68</sup>

**28) Develop policies: (1) to improve relations between Roma and Sinti communities and the police, so as to prevent police abuse and violence against Roma and Sinti people; and (2) to improve trust and confidence in the police among Roma and Sinti people.**

<sup>61</sup> [https://mvr.gov.mk/Upload/Editor\\_Upload//Програма%20за%20полициски%20интеритет.pdf](https://mvr.gov.mk/Upload/Editor_Upload//Програма%20за%20полициски%20интеритет.pdf).

<sup>62</sup> Interview with Igor Arsovski, former Assistant Minister in the Internal Control Division, Criminal Investigations and Professional Standards of the Ministry of the Internal Affairs, and Danica Dimitrovska, Chief Inspector for Public Law and Order and Prevention in the Unit for Public Law and Order and Prevention of the Department for Policing of General Competence of the Division for Unformed Police of the Bureau for Public Security, held on 12.08.2024.

<sup>63</sup> Ibid.

<sup>64</sup> <https://mvr.gov.mk/page/sektor-za-vnatreshna-kontrola>.

<sup>65</sup> <https://jorm.gov.mk/osnovno-javno-obvinitelstvo-za-gonen/>.

<sup>66</sup> [https://mvr.gov.mk/Upload/Editor\\_Upload/Plan%20za%20integritet%202023-2025/Plan%20za%20integritet%20MVR%202023-25\\_04\\_06\\_2023\\_MKD\\_web.pdf](https://mvr.gov.mk/Upload/Editor_Upload/Plan%20za%20integritet%202023-2025/Plan%20za%20integritet%20MVR%202023-25_04_06_2023_MKD_web.pdf).

<sup>67</sup> Interview with Igor Arsovski, former Assistant Minister in the Internal Control Division, Criminal Investigations and Professional Standards of the Ministry of the Internal Affairs, and Danica Dimitrovska, Chief Inspector for Public Law and Order and Prevention in the Unit for Public Law and Order and Prevention of the Department for Policing of General Competence of the Division for Unformed Police of the Bureau for Public Security, held on 12.08.2024.

<sup>68</sup> <https://www.sep.gov.mk/post/?id=5657>.

In order to ensure a safe environment and simplified and easier access to police for the residents of the Municipality of Shuto Orizari, in 2019 the Shuto Orizari Police Section was opened for the first time, as an extension of the Čair Police Station, as part of the “Police Serving the Citizens” concept.<sup>69</sup> The Shuto Orizari Police Section has been headed by a Roma Chief of Police since the very beginning<sup>70</sup>, which is a positive step towards bringing the police closer to the Roma people in the largest Roma community in North Macedonia. It is worth noting that the Inspector for Public Law and Order and Prevention, operating within the Shuto Orizari Police Section plays an active role regarding prevention. She is a woman of Roma ethnic background with many years of experience working with the Roma community in Shuto Orizari.

The Shuto Orizari Police Section boasts an equal ethnic representation among its active police officers, including 1/3 Roma, 1/3 Macedonians and 1/3 Albanians. There is a potential risk of a drastic drop in the number of Roma staff due to upcoming retirement of Roma police officers over the next few years.<sup>71</sup>

The police officers of the Shuto Orizari Police Section pointed out that it is necessary to intensify the awareness raising activities about Roma inclusion in order to overcome stereotypes towards the Roma community.

Interestingly, the Shuto Orizari Police Section has been designated as one of the places to carry out fingerprinting of undocumented persons with the intention of establishing a direct contact and communication with undocumented persons.

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<sup>69</sup> <https://mvr.gov.mk/vest/9391>.

<sup>70</sup> Interview with Kiro Gračanski, Chief of Police of the Šuto Orizari Police Section, and Imirzat Selim, Inspector for Public Order and Peace and Prevention at the Šuto Orizari Police Section, held on 15.08.2024.

<sup>71</sup> Ibid.

## **29) Develop policies and procedures to ensure an effective police response to racially motivated violence against Roma and Sinti people.**

In the past, North Macedonia together with its international partners, has taken steps to raise the awareness of police officers on how to recognise hate speech and discriminatory treatment, as listed in Points 16 and 27 (Training Manual on Police Integrity). However, these activities have been reduced to the level of training for police officers.

There is a lack of mechanisms, such as standard operating procedures, for preventing and combating racially motivated violence.

## **30) Assess the gap between international standards on police and current national practices, in consultation with national police forces, NGOs and representatives of Roma and Sinti communities.**

In order to improve the relations between the police and the Roma community, representatives of the Shuto Orizari Police Section are constantly communicating with primary and secondary schools located on the territory of the Municipality of Shuto Orizari. Information dissemination to primary school pupils and secondary school students is carried out through a selected group of 30 children, who further pass on the information to their classmates. Information dissemination is carried out in Romani language, and also in Macedonian language if the group includes pupils/students from the Albanian community.<sup>72</sup> Roma civil society organisations have a serious approach that is particularly helpful in the work of the police in Shuto Orizari.

The police activity in primary and secondary schools in Shuto Orizari is part of the preventive

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<sup>72</sup> Ibid.

activities planned on MoIA level aimed at the prevention of hate speech, bullying and human trafficking.

MoIA has been part of the Intersectoral Protocol for the Treatment of Street Children since 2022, where it plays an active role together with the Ministry of Social Policy, Demography and Youth, the Ministry of Education and Science, the Ministry of Health, as well as the civil society sector and the local self-government. Through this Protocol, the competent institutions aim to create a unified cross-sectoral approach to help, support and protect children who are on the streets and who are not cared for.<sup>73</sup>

**31) Where appropriate, and in close partnership with international organizations and Roma NGOs, elaborate on policy statements, codes of conduct, practical guidance manuals and training programmes.**

In 2023, in co-operation with the OSCE Mission to Skopje, the MoIA implemented the project “The Police and the Roma – Effective Policing on Human Rights Complaints”, which was implemented in three stages during 2023. The first stage included a training of trainers, during which 22 police officers were trained as trainers. The second stage included training activities for 312 police officers, 243 or 78% of which were men and 69 or 22% were women, delivered by the trained trainers across a total of 13 training sessions. The third activity involved a final roundtable where the conclusions of the trainings were summarised. It is interesting to note that, despite the fact that representatives of the Ministry of Health, the Ministry of Education and Science, and the Ministry of Labour and Social Policy were invited to the trainings and the roundtables, these institutions failed to take part in these

<sup>73</sup> [https://www.mtsp.gov.mk/content/pdf/publikacii\\_2022/деца%20на%20улица/Protocol%20\[%20Book%20\]%20MKD%20-%20WEB.pdf](https://www.mtsp.gov.mk/content/pdf/publikacii_2022/деца%20на%20улица/Protocol%20[%20Book%20]%20MKD%20-%20WEB.pdf).

events.<sup>74</sup> The aim of this project is to increase the trust of the Roma community in the police and to familiarise the police with the Roma community so as to overcome the stereotypes held by police officers towards Roma people.

**32) Encourage Roma and Sinti people to work in law-enforcement institutions as a sustainable means of promoting tolerance and diversity.**

The law enforcement institutions, i.e. the Ministry of Internal Affairs, the Public Prosecutor's Office of North Macedonia, and the courts, have no special measures to encourage the Roma people to seek jobs in these institutions.

Young Roma people do wish to work in the police, but they fail to be admitted to the basic training for police officers.<sup>75</sup> At the same time, there is no way to prevent the possible misuse of the application procedure for candidates for police officers by individuals from other ethnic communities proclaiming to be Roma simply to gain an easier entry into the basic training.<sup>76</sup>

The low representation of Roma is also evident from the fact specified in Point 26 of this Report, according to which the number of Roma individuals on the police force, as well as the Public Prosecutor's Office and in the courts has not increased at all; in fact, this figure has steadily stagnated,

<sup>74</sup> Interview with Matthew Jones and Afrim Bajrami, OSCE Mission to Skopje, held on 15.08.2024.

<sup>75</sup> Interview with Kiro Gračanski, Chief of Police of the Šuto Orizari Police Section, and Imirzat Selim, Public Law and Order and Prevention Inspector at the Šuto Orizari Police Section, held on 15.08.2024.

<sup>76</sup> Interview with Igor Arsovski, former Assistant Minister in the Internal Control Division, Criminal Investigations and Professional Standards of the Ministry of Internal Affairs, and Danica Dimitrovska, Chief Inspector for Public Law and Order and Prevention in the Unit for Public Law and Order and Prevention of the Department for Policing of General Competence of the Division for Uniformed Police of the Bureau for Public Security, held on 12.08.2024.

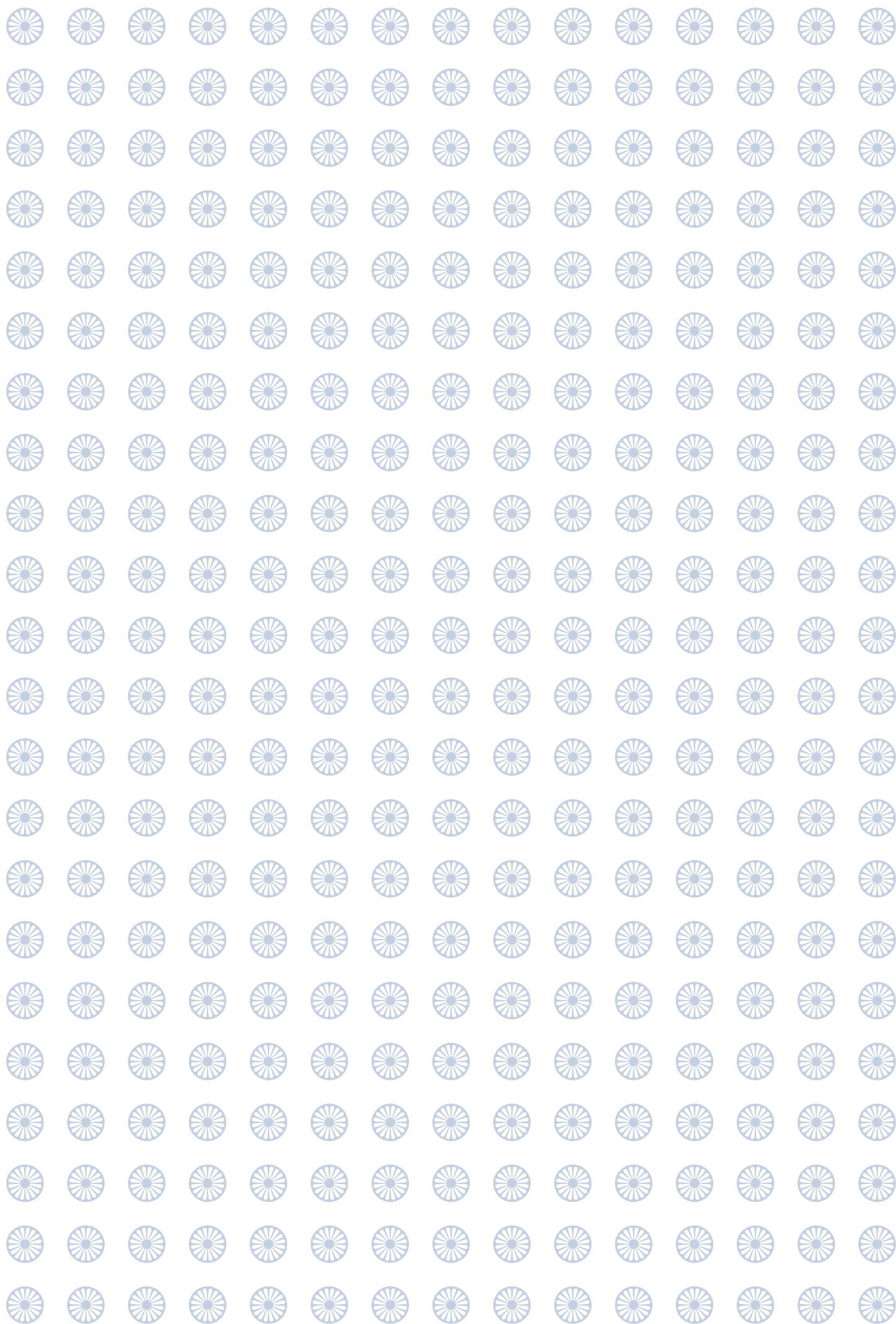
with a slight downward trend. Namely, over the last 5 years, the share of Roma individuals employed in the MoIA has stood at 0.6% of the total number of employees, which is more than 4 times lower than the share of the Roma population in the total number of citizens in North Macedonia. The situation is far worse in the Public Prosecutor's Office, where only 4 Roma individuals are employed, but the situation is slightly better in the courts, where 22 Roma individuals are employed. The underlying problem is that there aren't any active measures either for non-managerial or managerial positions. Moreover, there aren't any measures to help initiate a selection process of Roma individuals as judges or public prosecutors, even though there are Roma lawyers qualified to perform these functions. In the period between 2015 and 2018, a Roma woman lawyer applied for the position of a judge, but was ultimately not selected by the Judicial Council.

There is only one Roma judge in North Macedonia, at the Basic Court of Gostivar, but there is not a single Roma public prosecutor. In light of the fact that the only way into the courts and public prosecutor's offices is through the Academy for Judges and Public Prosecutors, special quotas have been introduced for non-majority communities. During the first 7 generations, there have been only 2 Roma applicants, but they did not become candidates because they had failed to obtain the sufficient number of points in the entrance exam.<sup>77</sup>

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<sup>77</sup> Interview with Nataša Gaber-Damjanovska, Director of the Academy for Judges and Public Prosecutors, held on 25.06.2024.







## MASS MEDIA

### **36) Launch information and awareness-raising campaigns with a view to counter prejudice and negative stereotypes of Roma and Sinti people.**

Information campaigns to reduce prejudice and the negative stereotypes against the Roma people are not very common in North Macedonia. This form of campaigning is very rarely organised by state authorities. Recently, the awareness-raising activities have intensified as a result of various donor projects through which civil society organisations working on Roma rights have organised campaigns, aiming to improve the understanding between ethnic communities and thus overcome prejudice and the stereotypes against the Roma people.

The “IT’S ENOUGH” campaign of the Council of Europe<sup>78</sup> peaked in terms of its outreach; this was a joint project conducted with the European Commission, taking place between 2006 and 2019, initially in the Western Balkan countries and later rolled out in all Council of Europe countries. 29 member states of the Council of Europe participated in the campaign. The primary goals of this campaign included: combating stereotypes and negative prejudice against Roma; combating anti-gypsyism as part of anti-racism and anti-discrimination policies/measures; raising awareness of Roma culture, language and history.

<sup>78</sup> <https://www.coe.int/en/web/roma-and-travellers/dosta-campaign#:~:text=Dosta%20means%20%22enough%22%20in%20a,deep%2Drooted%20prejudices%20and%20stereotypes.>

Within the framework of the “IT’S ENOUGH” campaign in North Macedonia, promotional materials were distributed to bring the culture, language and the history of the Roma people closer to other communities, all with the purpose of addressing prejudice and stereotypes.

When it comes to the development of Roma culture, the Ministry of Culture has not been sufficiently invested in projects on Roma culture. Namely, very few projects on the development of Roma culture have been financed under the annual funding programme of the Ministry of Culture. The latter is also due to the application procedure, done electronically, and this may pose a problem for individuals wishing to apply for Roma culture development projects. On the other hand, the Ministry of Culture earmarks insufficient funds to support these projects, i.e. the amounts allocated do not fully meet the requirements for the implementation of project activities. However, there are initiatives within the Ministry of Culture that are also supported by international organisations to enhance the support for Roma culture development projects.<sup>79</sup>

### **37) In order to foster freedom of expression, encourage training of Roma and Sinti journalists and their employment in media outlets with a view to facilitating wider access to the media for Roma and Sinti people.**

<sup>79</sup> Interview with Makedonka Kocева, Ministry of Culture and Tourism, held on 11.07.2024.

In 2011, the Macedonian Institute for Media, together with Transitions<sup>80</sup>, the Roma Information Centre, the Sarajevo Media Centre, and the Novi Sad School of Journalism, implemented the project “Roma People in the Public Eye”, which aimed to promote media coverage of Roma communities in these countries. As part of this project, 6 journalists from the Republic of Macedonia (at the time) were trained, half of whom were Roma, who, following the training, took part in activities that resulted in a regional web site [www.tocak.org](http://www.tocak.org) dedicated to Roma issues, as well as a radio programme for the Roma people in Bosnia and Herzegovina.

Meanwhile, there has been no consistent action or policy for Roma engagement in journalism. Despite this, their involvement in this profession is noticeable, particularly with regard to reporting on issues related to the situation of Roma in North Macedonia.

In 2020, the civil society organisation Romaversitas started publishing an electronic journal titled ‘Roma Index’. The purpose of this medium is to inform, educate and entertain the readers about issues of daily life, related to education, youth, Roma identity, and current topics and problems facing society. The intention of ‘Roma Index’ is to inform about success stories and people, and also prepare individuals for involvement in the public policy making process, both on local and national levels.<sup>81</sup>

There are only two local/regional television stations and one radio station on the territory of North Macedonia that broadcast programmes in the Romani language. Since 1994, the second channel of the Macedonian national television has been broadcasting programmes in Romani

language within a limited time slot, as well as on the third channel of the Macedonian national radio station – the MRT 3 Service<sup>82</sup>. The only private television station which regularly broadcasts programmes in Romani language is the former Shutel TV, rebranded as B1 TV in 2021. Up until 2014, the BTR Television station<sup>83</sup> was also broadcasting programmes in both Romani and Macedonian languages; it however lost its broadcasting license in 2014.

**38) Encourage the media to show positive aspects and present a balanced portrayal of Roma life, refrain from stereotyping Roma and Sinti people and avoid inciting tension between various ethnic groups. Organize round tables between media representatives and Roma and Sinti representatives to promote this objective.**

With the publication of the electronic journal ‘Roma Index’<sup>84</sup>, in addition to education, information and entertainment, Romaversitas also seeks to presents authors, columnists, analysts and other celebrities of Roma background, which is an affirmative way to overcome the stereotypes against the Roma, and helps to jointly engage in the development of public policies for improving the situation of the Roma through their inclusion in all social processes in North Macedonia.

Despite all this, antigypsyism and hate speech are still widespread, particularly against the Roma, which is primarily evident on social media and the Internet. This is also indicated by the analysis “Roma Contexts in the Macedonian Media – Discrimination, Hate Speech and Antigypsyism”, as part of the project “Analysis – Media Literacy and Hate Speech among Young People”<sup>85</sup>, implemented by the Media Education Centre – 24 Vakti. The

<sup>80</sup> Updates from Sarajevo: Conference and New Project Kickoff – Transitions

<sup>81</sup> [https://issuu.com/romaversitas/docs/roma\\_index\\_8](https://issuu.com/romaversitas/docs/roma_index_8).

<sup>82</sup> <https://marketing365.mk/makedonski-radio-stanici/>.

<sup>83</sup> <https://avmu.mk/wp-content/uploads/2018/11/Студија-за-утврдување-на-состојбите-на-регионалниот-и-локалниот-ТВ-пазар....pdf>.

<sup>84</sup> Ibid.

<sup>85</sup> <https://issuu.com/salimemed/docs/>



analysis showed that “76% of the respondents believe that web portals, using posts and comments on social media, have reduced the public debates to mere denigration and insults”.<sup>86</sup>

## Chapter IV of the Action Plan – Socio-Economic Issues

### I. Housing and Living Conditions

**43) Introduce mechanisms and institutional procedures to clarify property rights, resolve issues of ownership and regularize the legal status of Roma and Sinti people whose legality is yet to be resolved (e.g., Roma neighbourhoods without rights to land or which are not included in the urban planning development of the main locality; families and houses without legal residence status in settlements where the people have been living de facto for decades).**

With the adoption of the Law on the Treatment of the Illegally Constructed Buildings<sup>87</sup> in 2011, an attempt was made to solve the problems with illegal structures on the territory of the Republic of Macedonia (at the time). This legalisation process allowed a large number of Roma people who owned illegally constructed structures to have them legalised. From its enactment in March 2011 until 2023, the Law managed to yield the desired result, which is evident from the number of legalised structures throughout North Macedonia. Specifically, the Law helped legalise 296,810 illegally constructed build-

ings.<sup>88</sup> According to the 2019 Social Mapping, as a result of the legalisation process, 49% of the illegally constructed structures for which a legalisation request was lodged were legalised; 17% were pending, whereas 29% were not legalised, whereby the highest percentage of illegally constructed houses was recorded in Bitola (67%), Vinica (59%), Kumanovo (53%), Kavadarci (44%), Strumica (40%), Kichevo (38%) and Shuto Orizari (22%).<sup>89</sup>

In an interview with the mayor of the Municipality of Shuto Orizari, it was pointed out that the “legalisation” process on the territory of this municipality can be considered completed, and only the outcomes of disputed structures are still pending.<sup>90</sup> A similar conclusion on the status of legalisation of the illegally constructed buildings was expressed by Mr. Ibrahim Ibrahim, Coordinator for Local Economic Development in the Municipality of Shuto Orizari.<sup>91</sup>

The process of legalisation of Roma homes was supported by micro-crediting from Habitat Macedonia<sup>92</sup>, which is a non-profit organisation, part of the global Habitat for Humanity network, dedicated to providing simple, decent and affordable housing solutions to low-income families living in poverty, regardless of their ethnic, gender and religious affiliation.<sup>93</sup> The credit line was administered through the Horizon Foundation for Economic Development.

<sup>86</sup> Ibid.

<sup>87</sup> Law on the Treatment of the Illegally Constructed Buildings (The Official Gazette of the Republic of Macedonia No. 23/11).

<sup>88</sup> <https://360stepeni.mk/vo-makedonija-dosega-se-legalizirani-rechisi-300-000-divogradbi/>.

<sup>89</sup> [https://mtsp.gov.mk/content/pdf/dokumenti/2019/Final%20Social%20mapping%20report\\_English.pdf](https://mtsp.gov.mk/content/pdf/dokumenti/2019/Final%20Social%20mapping%20report_English.pdf).

<sup>90</sup> Interview with Mr. Kurto Duduš, Mayor of the Municipality of Shuto Orizari, held on 27.06.2024.

<sup>91</sup> Interview with Mr. Ibrahim Ibrahim, Coordinator for Local Economic Development, Municipality of Shuto Orizari, held on 27.06.2024.

<sup>92</sup> <https://faktor.mk/130-romski-semejstva-dobija-zaem-za-legalizacija-na-domovite-vo-prilep>.

<sup>93</sup> <http://habitat.org.mk/mkd/rhprogram.html>.

**44) Involve Roma and Sinti people in the design of housing policies, as well as in the construction, rehabilitation and/or maintenance of public housing projects meant to benefit them. Ensure that housing projects do not foster ethnic and/or racial segregation.**

Housing is one of the main problems faced by Roma in North Macedonia. The Roma Inclusion Strategy 2023-2030 has a special section on housing that is crucial for improving the situation of the Roma, primarily from a humane point of view.

In terms of housing, the Government of North Macedonia, within its strategic documents, has provided funding for the infrastructure in Roma settlements in order to ensure the basic living conditions within said settlements. The then Ministry of Transport and Communications provided a special financial support programme for the municipalities which include Roma settlements for the construction of basic infrastructure. Following a published announcement in 2021, the Ministry of Local Self-Government allocated 3,000,000 denars as financial support for social inclusion of the Roma in 15 municipalities, allocating between 103,887 denars to 648,567 denars.<sup>94</sup>

In 2023, the Ministry of Transport and Communications allocated 20,000,000 denars for infrastructure projects, from the funds earmarked for the implementation of the Roma Inclusion Strategy 2022-2030.<sup>95</sup>

Roma people are becoming increasingly involved in housing policy-making, through the Minister without Portfolio in charge of Roma Issues, the Advisor on Roma Issues to the Prime Minister of North Macedonia, the National Coordinating Body

for Implementing the Roma Strategy and others. However, the level of their engagement is still relatively low, in terms of direct participation of the Roma in North Macedonia. This has been noted by both civil society organisations and international organisations. Namely in 2020, the National Roma Centrum developed a Public Policy Document – The Situation of Roma Women in North Macedonia from the Perspective of the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), one of the main recommendations of which says that “It is necessary to strengthen the capacities of local self-governments towards developing local, evidence-based Roma integration policies which, in the area of housing, will provide for specific measures aimed exclusively at Roma women and girls. Local documents should be designed and implemented in collaboration with national authorities, local authorities, civil society organisations and with the support of the private sector. The participation of Roma women in the processes of developing and implementing relevant local policies should be increased”.<sup>96</sup>

Over the past 8 years, the European Union has implemented projects through the IPA instrument providing housing for socially disadvantaged individuals, including Roma, for which €4,500,000 have been allocated. Namely, these projects were implemented in 6 municipalities, initially in Veles and Shuto Orizari as part of IPA 2 in 2017, and then as part of IPA 19 also in the Municipalities of Bitola, Prilep, Kichevo and Shtip. Municipalities and civil society organisations are the entities applying for these projects in order to ensure sustainability of the effect and results, as well as to provide support and commitment to addressing the issue of homeless people. As part of these projects, support was provided for individuals to “legalise” their

<sup>94</sup> [https://mls.gov.mk/images/files/Dogovori%20za%2015%20op\[tini\].doc](https://mls.gov.mk/images/files/Dogovori%20za%2015%20op[tini].doc).

<sup>95</sup> <https://mtc.gov.mk/media/files/2023/Budzet%20na%20MTV%202023.pdf>.

<sup>96</sup> <https://www.nationalromacentrum.org.mk/wp-content/uploads/dok-pol-domuvanje-3.pdf>.

illegally constructed buildings, as well as renovate particular structures, and build new homes and install infrastructure in these municipalities to ensure stable and secure living conditions. As a form of continuity, these projects, which will conclude in October 2024, will receive a further financial support from the Delegation of the European Union through IPA 2025-2030 in the amount of €5,000,000, which will provide short, medium and long-term housing solutions for homeless people in North Macedonia.<sup>97</sup>

**45) Consider the possibility of guaranteeing loans for participating States that may be available from international organizations and financial institutions for low-income housing projects.**

Social housing for the Roma community in North Macedonia is financed through various programmes. The basic social housing programme for the Roma has been implemented through the Housing Project for Socially Vulnerable Groups – F/P 1674 (2009), which provided for the construction and allocation of a total of 1,754 apartments in 32 residential buildings in 26 cities on the territory of the Republic of Macedonia (at the time). In the period between 2009 and 2013, 559 apartments were built and allocated in 11 buildings in 10 cities.<sup>98</sup> The 2024 Annual Programme for the Construction, Sale and Maintenance of Residential Premises Owned by North Macedonia, indicates that 26 facilities with 1,160 apartments have been built in the period between 2009 and 2025 as part of the Programme for Construction of Apartments for Individuals at Social Risk and Other Vulnerable Groups. However, in its 2021 Progress Report

on North Macedonia, the European Commission noted that the budget funds allocated to Roma housing have not been used in full<sup>99</sup>. However, in its 2021 North Macedonia Progress Report, the EU Commission noted that the budget funds allocated for Roma housing have not been fully used.<sup>100</sup>

As direct assistance from the European Union, two grant projects for Roma housing and social inclusion have been implemented under the IPA 2017 Action Programme “EU Support to Education, Employment and Social Policy”.

However, the number of social housing allocated to Roma is very small. Regarding the use of social housing support measures by the Roma population, data obtained from the Ministry of Transport for the period between 2014 and 2016 show that, of the total number of 111 allocated social apartments, only five apartments were allocated to individuals of Roma ethnicity.<sup>101</sup> In terms of access to social housing by the end of 2016, a total of 118 apartments were allocated to Roma families. From the beginning of 2017 up until 2021, there was no allocation of social housing.<sup>102</sup>

**46) Promote the option of co-operative housing schemes for Roma communities and provide appropriate training for the maintenance of such facilities.**

There is no cooperative housing in North Macedonia. There are centres for homeless people in Skopje.

<sup>97</sup> Interview with Mr. Nafi Sarachini, Delegation of the European Union, held on 18.09.2024.

<sup>98</sup> [https://mhc.org.mk/wp-content/uploads/2019/08/Romi\\_Analiza\\_Helsinki.pdf](https://mhc.org.mk/wp-content/uploads/2019/08/Romi_Analiza_Helsinki.pdf).

<sup>99</sup> <https://www.sep.gov.mk/data/file/Pregovori/North-Macedonia-Report-2021-%D0%9C%D0%9A2.pdf>.

<sup>100</sup> The 2024 Annual Programme for the Construction, Sale and Maintenance of Residential Premises Owned by the Republic of North Macedonia, The Official Gazette of RM No. 29/2024 dated 08.02.2024.

<sup>101</sup> <https://mhc.org.mk/wp-content/uploads/2019/05/Анализа-на-јавните-политики-за-правата-на-ромите-во-Република-Македонија.pdf>.

<sup>102</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

pje, Bitola, Strumica and Struga.<sup>103</sup> In 2018, the last homeless shelter was opened in Vizbegovo near Skopje, where 96 homeless people were accommodated, many of whom are Roma. These centres are under the jurisdiction of the Ministry of Social Policy, Demography and Youth. In addition, the Red Cross of North Macedonia has opened its own homeless shelter in Momin Potok near Skopje.<sup>104</sup>

According to the information from the Ministry of Social Policy, Demography and Youth (at the time, the Ministry of Labour and Social Policy), as of December 2023, 15 families remain displaced – 88 individuals, 29 adults and 59 children, under the jurisdiction of MLSP, who remain accommodated in the temporary housing in Vizbegovo. Professionals from the SWCs, MLSP and 2 Roma civil society organisations are working with these individuals. Of these temporarily accommodated individuals, 4 people are temporarily employed (1 person is hired as a construction worker, 2 people as hygienists, and 1 person in second-hand trade).

## II. Unemployment and Economic Problems

### 48) Promote increased representation of qualified Roma and Sinti people in the public sector and administration.

In the 2021 census, 49,104 people were registered as Roma in North Macedonia, 46,433 of whom were residents, or 2.53% of the total population. Considering the 2021 census data and the Government's obligations as per the Constitution of North Macedonia for equitable representation of all ethnic communities in public institutions, it follows

that the Roma in North Macedonia are underrepresented. Namely, according to the data from the Office of the Ombudsperson and the Ministry of Information Society and Administration, the percentage of the Roma employed in public administration in the period between 2012 and 2023 ranged from 1.1% to 1.5%,<sup>105</sup> which is on average is twice as low than the number of Roma people in the total population of North Macedonia, based on the 2021 census.

According to the Ombudsperson's Fair Representation Statistics, the number of Roma employed in public administration in North Macedonia ranged from 1,363 in 2012 to 1,672 in 2015 and 1,640 in 2016. During this period, the number of elected and appointed persons from Roma background was on average 8, while the number of managers in institutions ranged from 20 in 2012, 15 in 2014 to 19 in 2016.<sup>106</sup>

The 1.5% representation of Roma people employed in the public administration has, in fact, achieved the target envisaged by the NAP 2016-2020 concerning employment, with the employment of Roma people in 2020 standing at 1.4% in the state administration, and 0.96% in the local self-government units.<sup>107</sup>

Despite achieving the targets of the Roma Strategy 2014-2020, the Roma Inclusion Strategy 2023-2030 also sets strategic employment objectives, namely its Strategic Goal 1 – 'Increase the employment of the Roma in North Macedonia', which provides for a Specific Indicator (SI) 1 – 'Increase the employment of the Roma in public and state administration', whose success indicator has been

<sup>103</sup> <https://www.slobodnaevropa.mk/a/koj-ce-griji-za-bezdomnite-lica-/31589246.html>.

<sup>104</sup> [https://www.mtsp.gov.mk/mart-2020-ns\\_article-mtsp-punktovite-za-bezdomni-lica-funkcioniraat-vo-sorabotkaso-crven-krst-se-delat-zashtitni-maski-i.nspix](https://www.mtsp.gov.mk/mart-2020-ns_article-mtsp-punktovite-za-bezdomni-lica-funkcioniraat-vo-sorabotkaso-crven-krst-se-delat-zashtitni-maski-i.nspix).

<sup>105</sup> [https://ombudsman.mk/Почетна/Годишни\\_извештаи.aspx](https://ombudsman.mk/Почетна/Годишни_извештаи.aspx).

<sup>106</sup> Ibid.

<sup>107</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

formulated as 'at least 2.6% will be employed in state and public administration by 2030'.<sup>108</sup>

However, the political commitment to equitable representation of non-majority ethnic communities in public administration is not the biggest problem in North Macedonia; rather, the fundamental problem is the gap created between the private and public sectors regarding wages. According to Ms. Mabera Kamberi, Head of the Sector for Coordination and Technical Assistance to the Minister at the Ministry of Social Policy, Demography and Youth, public sector jobs have become increasingly less attractive to Roma youth due to low salaries for entry-level positions in public administration employment. According to Ms. Kamberi, this is not the case only with the Roma people, rather, the same problem applies to all young people.<sup>109</sup>

**49) Develop training programmes to prepare under-represented groups such as Roma and Sinti for employment in local public administration and other areas, and develop policies to encourage employment of graduates of these programmes as civil servants.**

In the past period there have been no calls for organised specialised training for unemployed Roma who wish to work in public administration, including local administration. The people employed in public administration are primarily individuals who have acquired formal, secondary or university education.

**50) Reassess the impact of subsidized employment programmes, particularly focusing on their educational components, to ensure that these will aim to increase the competitiveness of Roma and Sinti people on the labour market.**

The Employment Service Agency, as the only competent institution to monitor and regulate the labour market, has over the recent years introduced solid programmes and measures to encourage employment, particularly focusing on information dissemination, mentoring, self-employment grants etc.

The Agency has established a subsidised employment scheme, namely, the Activation Service for Unemployed Roma and Other Individuals at Risk of Social Exclusion, through which a network of Roma mentors was deployed, and also through programmes based on international experiences (the Acceder programme).<sup>110</sup> This service was implemented as part of the UNDP, MLSP and ESA project – Creating Job Opportunities for All – supported by the Swiss Agency for Development and Cooperation (SDC).<sup>111</sup>

A total of 2,008 individuals were covered by the Activation Service for Unemployed Roma and Other Individuals at Risk of Social Exclusion, of which 972 (48%) were women and 657 (33%) were young people under 29. 2,545 people, predominantly Roma, were informed about this service, and the 2,008 persons involved in the service (972 women and 657 young people) completed a questionnaire so as to provide a profile and subsequently allow their professional capacities to be evaluated. Some of the participants – 107 individuals were involved in the active employment measure, and

<sup>108</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

<sup>109</sup> Interview with Ms. Mabera Kamberi, Head of the Sector for Coordination and Technical Assistance to the Minister in the Ministry of Social Policy, Demography and Youth, held on 24.06.2024.

<sup>110</sup> The Acceder travels abroad. New project in North Macedonia - Fundación Secretariado Gitano

<sup>111</sup> <https://av.gov.mk/godishni-izvestai.nspx>.



359 individuals were ultimately employed. This measure was aimed at unemployed Roma and for people at social risk.

In 2023, the Agency signed contracts with 2,001 individuals, of which, 23 contracts were with persons with disabilities, and 9 individuals (2 of which were young people under 29) with grant support as additional employment in companies registered by persons with disabilities. Of the 2,003 individuals, 46 are Roma.<sup>112</sup>

The Employment Service Agency is also implementing the project “Activation of Vulnerable Groups in the Labour Market” as part of an IPA project. The total number of people employed under this measure is 124, and of those, as part of the IPA project and under the 2022 Operational Plan, 9 individuals are Roma.<sup>113</sup>

The decline in employment of Roma has been on a downward trend for the last 5 years. Namely, in 2020, 14,396 unemployed Roma were reported, of which 7,116 were men and 7,280 women, while on 30.06.2024 there was a total of 10,527 unemployed Roma, of which 5,090 were men and 5,437 women.<sup>114</sup>

**51) Develop policies and programmes, including vocational training, to improve the marketable skills and employability of Roma and Sinti people, particularly young people and women.**

In the last 10 years, the Employment Service Agency has implemented a set of active measures aimed at increasing the employment of Roma and persons at risk. Namely, in 2014, the Agency implemented a pilot programme for the employment of members of the Roma community who are active job seekers, which included 4 pilot mu-

nicipalities: Shuto Orizari, Tetovo, Kumanovo and Prilep. Trainers and mentors were included as part of this pilot programme who then reached out to 777 individuals regarding the Agency’s active measures, of which 302 persons showed further interest, and 124 of those joined certain activities to improve their social position. As a result, 43 people used the active measures, 6 found employment in the private sector and 75 people changed their status from passive to active job seekers in the Employment Service Agency.<sup>115</sup> In the same year, a motivational video for Roma employment was produced and broadcast on the UNDP website.<sup>116</sup>

In 2018, the Agency allocated a special budget for the activation of unemployed Roma from the 2017 unused budget funds, in the amount of 1,575,000 denars.<sup>117</sup>

In the last 5 years, between 2019 and 2023, 2,241 Roma have benefited from the active employment measures of the Employment Service Agency’s programmes.<sup>118</sup> The European Commission’s Progress Report on North Macedonia for 2021, 2022 and 2023 specifies that the number of Roma using active employment measures in 2020 was 241 out of a total of 6,303<sup>119</sup>; whereas in 2021, the number was 589 or 5.2% of all beneficiaries and in 2022, 969 Roma participated in the Youth Guarantee scheme, which is the major measure that addresses youth unemployment, 148 of whom were ultimately employed.<sup>120</sup>

<sup>115</sup> <https://av.gov.mk/content/Извештај%20на%20ABPM%202014.pdf>.

<sup>116</sup> Ibid.

<sup>117</sup> <https://av.gov.mk/content/Dokumenti/Извештај%20на%20ABPCM%202018.pdf>.

<sup>118</sup> <https://av.gov.mk/pregled-na-evidentirani-nevraboteni-lica-spored-nacionalna-pripadnost.nspix>.

<sup>119</sup> <https://www.sep.gov.mk/data/file/Pregovori/North-Macedonia-Report-2021-%D0%9C%D0%9A2.pdf>.

<sup>120</sup> <https://www.sep.gov.mk/post/?id=5657>.

<sup>112</sup> Ibid.

<sup>113</sup> <https://av.gov.mk/godishni-izveshtai.nspix>.

<sup>114</sup> <https://av.gov.mk/pregled-na-evidentirani-nevraboteni-lica-spored-nacionalna-pripadnost.nspix>.

**52) Adopt social policies that strengthen incentives to seek employment, as a sustainable way to avoid dependency on social benefits.**

If one takes into account the official statistics of the Employment Service Agency related to the labour market, it is easy to see that the number of unemployed Roma is declining. However, from the available official information, it cannot be clearly concluded whether this trend is the result of the active measures that the Government of North Macedonia is implementing to reduce unemployment, including Roma unemployment, or it is due to the emigration of active job abroad, in search for jobs. Also, when registering with the Employment Service Agency, ethnic background is not a fact that can be verified and confirmed. There are numerous examples of people declaring to belong to a different ethnic community in order to obtain a job, given that public administration jobs are allocated according to the equitable representation balancer.<sup>121</sup> In order to prevent this abuse of declaration of ethnicity, a solution was found in the form of Roma Information Centres and other Roma civil society organisations, which issue certificates to confirm a person's affiliation to the Roma community. This solution is also incorporated in the social housing allocation procedure for Category 5 individuals, i.e. Members of the Roma Community at Social Risk, under the Roma Strategy of North Macedonia.<sup>122</sup> However, in the interview with Ms. Mabera Kamberi, Head of the Sector for Coordination and Technical Assistance to the Minister in the Ministry of Social Policy, Demography and Youth, it was pointed out that these attempts for manipulation still persist by individuals who are not members of the Roma

community, but keep declaring themselves as Roma only to receive unemployment subsidies, get a job, or apply for social housing, which should have otherwise been allocated to a person of Roma descent.<sup>123</sup>

### **III. Health Care**

**58) Ensure that Roma and Sinti people have access to health care services on a non-discriminatory basis.**

Under the Law on Health Care, North Macedonia provides health care according to the principle of accessibility: "The principle of accessibility of health care is achieved by providing adequate health care to the population of North Macedonia, which is geographically, physically and economically accessible, and in particular, health care at the primary level".

However, there are certain restrictions for individuals who do not have personal ID documents, but who have been registered in the Birth Register. The process of issuing identity documents is quite slow due to the improper use of the amendments to the Law on Civil Registration Records and the Law on Registration of Permanent and Temporary Residence of Citizens by the police pertaining to the manner in which they verify residences of individuals applying for an identity card.<sup>124</sup>

The issue of primary health care is still a major challenge, as noted by the civil society organisations working in public health care. In 2022, the ESE Association conducted a survey to assess the

<sup>121</sup> <https://www.fakulteti.mk/news/14022020/makedonci-stanuvali-albanci-i-turci-za-da-dobijat-rabota-vo-muzejot-vo-struga>.

<sup>122</sup> <https://mtc.gov.mk/vesti/Oglas-za-raspredelba-na-sotsijalni-stanovi---Negotino>.

<sup>123</sup> Interview with Ms. Mabera Kamberi, Head of the Sector for Coordination and Technical Assistance to the Minister in the Ministry of Social Policy, Demography and Youth, held on 24.06.2024.

<sup>124</sup> Interview with Sonja Mirakovska, MP in the Assembly of North Macedonia, held on 02.10.2024

needs of rural and Roma communities in terms of access to primary health care services involving 941 respondents, including 503 women and 438 men, from the Roma communities in the following municipalities: Shuto Orizari, Kumanovo, Delchevo and Vinica.<sup>125</sup> According to this survey, the majority of the Roma population have health insurance and have registered with a primary health care provider, but this does not mean that they actually receive the primary health care they need. Namely, 43% of the Roma who are in need of health care fail to visit their registered primary health care providers, while in the Municipality of Vinica, 96% of the Roma have an unmet need of health care from their primary care providers. The problem with primary dental care is even more pressing, as only 68% of the Roma have been registered with a primary dental care provider, and 55% of the Roma have failed to meet their needs for dental services. This association also notes that “Residents in rural areas have faced significant financial barriers when accessing health services, with a significant share of Roma being unable to afford dental services, medication, laboratory tests and X-rays, all the while covering their travel expenses and wasting their working days. Moreover, the focus groups held in the Pelagonija Region have testified to discriminatory treatment in health care and other institutions”.<sup>126</sup>

Health care for Roma women, which includes the provision of primary gynaecological care as well, is only partially ensured, as only 57.5% of Roma women have registered with a primary gynaecological care provider. This percentage varies from one municipality to another. Namely, Roma women from Vinica and Delchevo have, for the most part, registered with a primary care gynaecologist

(83% in both municipalities), while the lowest share of women who have registered with a primary care gynaecologist is in Shuto Orizari (47.1%).<sup>127</sup>

The Ministry of Health is taking steps to provide gynaecologists in municipalities with Roma settlements, through co-financing of doctors’ specialisation training. In the Municipality of Shuto Orizari, a gynaecologist who provides gynaecological services to Roma women from Shuto Orizari has been secured after a long period of time, and only as part of the co-funding programme for specialist studies in gynaecology.<sup>128</sup> Now there is a Private Health Facility – Gynaecological Practice operating in Shuto Orizari, which is unfortunately facing a problem related to the number of registered patients; the capitation this medical provider receives depends on the number of registered patients, thus jeopardising its very viability.<sup>129</sup>

The “I Want To Know” Youth Centre within HERA, located at the Shuto Orizari clinic, offers free and confidential health services. The centre provides gynaecological care and consultations, including diagnosis and treatment of sexually transmitted infections. The centre also offers contraceptive options. Moreover, they provide family planning counselling, unwanted pregnancy prevention, pregnancy testing, and ultrasound examinations.<sup>130</sup>

<sup>127</sup> Ibid.

<sup>128</sup> Interview with Sanja Sazdovska, Ministry of Health, held on 27.07.2024.

<sup>129</sup> [https://www.slobodnaevropa.mk/a/shuto-orizari-dobiginekolog-no-snemuva-pacientki-/32970453.html?fbclid=IwZXh0bgNhZW0CMTEAAAR2QGgK7WE3iRcF4tRz2X4T-g1-GdqdeZ1T0-BahEnBTszyMRssF1avj3XQ\\_aem\\_YosiWRelKhRsS2HWoYKR1w](https://www.slobodnaevropa.mk/a/shuto-orizari-dobiginekolog-no-snemuva-pacientki-/32970453.html?fbclid=IwZXh0bgNhZW0CMTEAAAR2QGgK7WE3iRcF4tRz2X4T-g1-GdqdeZ1T0-BahEnBTszyMRssF1avj3XQ_aem_YosiWRelKhRsS2HWoYKR1w)

<sup>130</sup> HERA – Health Education and Research Association – Facilities and Services – Network for Protection against Discrimination (mzd.mk).

<sup>125</sup> [https://esem.org.mk/wp-content/uploads/2024/05/Finalna-analiza\\_Romi\\_PZZ1.pdf](https://esem.org.mk/wp-content/uploads/2024/05/Finalna-analiza_Romi_PZZ1.pdf).

<sup>126</sup> Ibid.



### **59) Promote awareness about the specific needs of the Roma and Sinti population amongst health care personnel.**

As part of the activities of civil society organisations working in the field of public health, health workers are continuously sensitised to the specific needs of the Roma in North Macedonia. As part of the Project “Changing the Negative Narratives about the Roma in Health Institutions” funded by the Foundation Open Society Macedonia, in 2018, the Association HERA developed a special training manual for health professionals titled “Developing Communication Skills for Ensuring Better Quality of Health Services in Roma Communities”. This Training Manual contains three modules: Module 1 – Cultural Characteristics of the Roma Population in Macedonia (at the time); Module 2 – Communication Skills for Engaging with the Roma People as the Foundation of Health Care Provision; and Module 3 – Cultural Competences of Health Workers and Associates. This Training Manual was developed within the Family Medicine Centre at the Faculty of Medicine in Skopje, which also included Dr. Arif Pini, a health professional from the Roma community, who made sure the materials used in the manual were appropriately sensitive.<sup>131</sup>

The aim of this Training Manual is to familiarise the health workers with the cultural characteristics of the Roma population in North Macedonia in order to improve communication and cooperation between the health workers and the Roma individuals as beneficiaries of health services.

Moreover, the Open Society Foundation Macedonia supported several projects in 2019, in partnership with VIDI VAKA<sup>132</sup>, the purpose of which was to

help change the narratives about the Roma community. The goal of these projects find an innovative way and ensure, the visibility of the problems of the Roma community, but also the efforts made by civil society organisations to find solutions to these problems, particularly in health care facilities.<sup>133</sup>

In the period between November 2018 and November 2019, the National Roma Centrum from Kumanovo, in partnership with Symbiosis 12, promoted the Recommendations and Results Almanac for the project “Changing the Narratives about the Roma in Health Institutions” titled “My Health Is My Right”.<sup>134</sup> As part of this project, the recommendations were aimed at partnering with young people to curb stereotypes, prejudice and discrimination against the Roma community in health facilities. These recommendation frameworks particularly emphasise the training of young people in civic activism, participation in creative workshops and workshops in Roma history, traditions and culture, as well as involving the secondary medical school students and health workers in these activities.<sup>135</sup>

### **60) Address the high incidence of disease and malnutrition among Roma communities.**

In Roma communities, there is still a high incidence of diseases which result from a lack of adequate health care. As we have indicated in Point 58, the share of individuals who have registered with a primary health care provider is very low in certain municipalities where Roma people live, with the

<sup>131</sup> <https://hera.org.mk/wp-content/uploads/2018/04/Priracnik-za-zdravstveni-rabotnici-web.pdf>

<sup>132</sup> Vidi Vaka – Prikazni što vredat [Now This – Stories Worth Sharing]

<sup>133</sup> <https://fosm.mk/current-project/grafichka-vest-zdravstveni-rabotnitsi-koi-gi-menuvaat-predrasudite-konromite/>.

<sup>134</sup> Recommendations and Results Almanac for the project “Changing the Narratives about the Roma in Health Institutions” “My Health Is My Right” - National Roma Centrum (nationalromacentrum.org).

<sup>135</sup> Ibid.

lowest share, 43%, recorded in the largest Roma municipality, Shuto Orizari. As a result, Roma people are at a risk of frequent illness due to the lack of treatment or inappropriate treatment of their health conditions.

When it comes to malnutrition, the First Study on Multidimensional Child Poverty in North Macedonia,<sup>136</sup> developed in 2021 by Finance Think – Economic Research & Policy Institute from Skopje with the support of UNICEF, states that “... similar patterns are developed in the last indicator highlighting malnutrition as an anthropometric failure under two standard deviations from the reference population. 10.64 percent of children under the age of 5 are underweight, stunted, or emaciated. The percentage goes up to 16.83 for Roma children.”

**61) Encourage the Roma and Sinti communities to access general public health care services at an early stage by:**

**(a) Informing Roma and Sinti people about the availability of such services and telling them how to use them;**

Through the “Roma Decade”, the Ministry of Health, in cooperation with the civil society sector, started the implementation of the project “Roma Health Mediators” in the healthcare system of North Macedonia. This activity, i.e. health mediators, are still in operation and work in the health centres in 8 municipalities. There were 15 in 2011, and in 2024 that number rose to 17<sup>137</sup>. The Roma health mediators can directly inform the Roma population about the possibilities and accessibility of health services available to them. According to a report by the Institute of Public Health

in 2015, Roma health mediators provided over 20,000 services in one year alone. Although the majority of the services provided, roughly 18,300, are health-related, Roma health mediators have helped people obtain personal documents such as birth certificates and ID cards, and provided families with access to cash social assistance.<sup>138</sup>

According to the mediators, they are actively engaged with and accompany the Roma individuals when they need to visit various institutions, and they cooperate well with the municipalities, too, citing many examples where the municipalities responded responsibly and helped them whenever possible. Also, health mediators believe they adequately cover the health facilities and properly address the health, economic, social and educational issues of the Roma. Health mediators say that they use their “own (health insurance) cards for children, pregnant women, female fertility etc.”, so they are able to keep statistics on the number of people they have supported in a municipality.<sup>139</sup>

At the moment, an elaborate system for information dissemination to the Roma people is already in place, both through Roma health mediators and through civil society organisations such as HERA, the Initiative for Shuto Orizari Women’s Rights and others.

In 2019, the National Roma Centrum implemented the project “Changing the Narratives about the Roma in Health Institutions” “My Health Is My Right”, which was financially supported by the

<sup>136</sup> <https://www.financethink.mk/wp-content/uploads/2021/12/Multidimensional-child-poverty-MK.pdf>

<sup>137</sup> Data from the Ministry of Health received on 29.07.2024.

<sup>138</sup> <https://www.unicef.org/northmacedonia/mk/%D0%BF%D1%80%D0%B8%D0%BA%D0%B0%D0%B7%D0%BD%D0%B8/%D0%BF%D1%80%D0%B8%D0%B1%D0%BB%D0%B8%D0%B6%D1%83%D0%B2%D0%B0%D1%9A%D0%B5-%D0%BD%D0%B0-%D0%B7%D0%B4%D1%80%D0%B0%D0%B2%D1%81%D1%82%D0%B2%D0%B5%D0%BD%D0%B8%D1%82%D0%B5-%D1%83%D1%81%D0%BB%D1%83%D0%B3%D0%B8-%D0%B4%D0%BE%D1%80%D0%BE%D0%BC%D1%87%D0%B8%D1%9A%D0%B0%D1%82%D0%B0>

<sup>139</sup> [https://www.unicef.org/northmacedonia/media/3801/file/MK\\_RomaAccessToHealthPolicyBrief\\_Report\\_MK.pdf](https://www.unicef.org/northmacedonia/media/3801/file/MK_RomaAccessToHealthPolicyBrief_Report_MK.pdf)

Open Society Foundation Macedonia. Within this project, three educational videos were produced about the right to health care and the importance of sexual and reproductive health among adolescents.<sup>140</sup>

**b) Strengthening the confidence of Roma and Sinti people in public health care providers, including through: punishing incidents of direct or indirect discrimination experienced by Roma and Sinti; training health care workers to understand relevant aspects of Roma culture; and supporting mediators who can play an important role in bridging the gap between Roma communities and public health care service providers.**

Roma health mediators are the basis for establishing communication and gaining greater trust between the Roma community and the health workers. However, apart from the mediators, very few campaigns have been conducted to increase people's knowledge of Roma culture and customs in order to overcome all the existing barriers, following the example of the Training Manual for Health Professionals – Developing Communication Skills for Ensuring Better Quality of Health Services in Roma Communities, referred to in Point 59 of this Report.

The existence of direct discrimination was noted in 2020 by the United Nations (UN) Committee on the Elimination of All Forms of Discrimination against Women, where the Macedonian Helsinki Committee initiated proceedings for violation of the right to equal access to health services and discrimination of two Roma women in Shuto Orizari. The Committee found a violation of the right to equal treatment and discrimination due to the fact

that the state had failed to ensure equal access to gynaecological services by these women, same as all other women in North Macedonia.<sup>141</sup>

The Ministry of Health, as the implementer and coordinator of activities related to raising public awareness among the Roma population regarding health services available in health centres, has a separate budget item for these activities as funds earmarked for the implementation of the Roma Inclusion Strategy 2022-2030. The Ministry of Health's budget for 2021, 2022 and 2023 amounted to 4,100,000 denars for each budget year, while for 2024 it amounted to 6,000,000 denars, which was then reduced to 5,000,000 denars with the budget rebalance.<sup>142</sup>

In the period between 2019 and 2023, according to the State Statistical Office<sup>143</sup>, 16 Roma individuals graduated medical school at the medical faculties in North Macedonia, and 2 individuals graduated at the Higher Medical School within St. Kliment Ohridski State University. Increasing the number of educated Roma medical personnel will also increase the confidence in the health system and above all, will overcome the barriers that exist between the health workers and the Roma population.

Health mediators have a special role in strengthening the trust of the Roma community in the health-care system, taking into account their primary competences, which is to help facilitate the access to health services, build trust in the doctor-patient

<sup>140</sup> Short educational video "Schedule your first check-up" – National Roma Centrum (nationalromacentrum.org).

<sup>141</sup> <https://mhc.org.mk/media/oon-utvrđi-diskriminaczi%D1%98a-od-strana-na-ginekolog-za-zheni-romki-vo-RNM-i-pobara-drzhavata-da-gi-obesshteti/>.

<sup>142</sup> Data from the Ministry of Health received on 29.07.2024.

<sup>143</sup> [https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat\\_ObrazovanieNauka\\_VisokoObrazovanie\\_DipolmiraniStudenti/185\\_VsObr\\_RM\\_T1\\_ml.px/table/tableViewLayout2/](https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat_ObrazovanieNauka_VisokoObrazovanie_DipolmiraniStudenti/185_VsObr_RM_T1_ml.px/table/tableViewLayout2/).

relationship, and establish good health, hygiene and nutrition habits and practices in Roma communities.<sup>144</sup>

## **62) Focus on the health of women and girls, inter alia, by:**

### **a) Promoting and/or developing programmes aimed at providing information on health care (including nutrition, neonatal care and domestic violence etc.);**

When it comes to education of Roma children in primary school, a project of the Ministry of Education and Science was implemented in 2018 to improve the nutrition of children in preschool facilities and primary schools, which was implemented in partnership with UNICEF.<sup>145</sup> In 2023, in cooperation with the Ministry of Agriculture, Forestry and Water Economy, the Ministry of Labour and Social Policy implemented the 2023 Programme to Encourage the Consumption of Fresh Fruit, through which each child from preschool institutions received 1 (one) kilogram of fruit per week<sup>146</sup> over a period of 5 months. However, these programmes and projects have a limited outreach, i.e. they are aimed at parents and children in preschool and school who are part of the education system. So, the children who are not enrolled in education institutions, majority of whom comprise Roma children, remained on the outskirts of these activities, unable to reap the benefits.

In terms of preventive measures, there is no consistent way to raise the public awareness among the Roma people about postnatal care and nutrition, because “The awareness of and familiarity with community nursing services is at a lower level among members of the most vulnerable groups (young parents, members of the Roma community, people with the lowest socio-economic status and residents of rural areas)”. This is one of the key findings of the 2023 research “Understanding the Barriers to Raise the Demand and Quality of Community Nursing Services”<sup>147</sup>. Hence, greater commitment needs to be made to raise the public awareness among the Roma population about the need for healthy nutrition and postnatal care. Both, Roma health mediators and health workers working in Roma communities should be actively involved in this process.

When it comes to domestic violence prevention, there are a number of campaigns that are not only focused on Roma women but reach out to the entire population in North Macedonia. The Government of North Macedonia is actively engaged in preventing and combating domestic violence through its strategic commitment translated into strategic documents, activities and measures. However, domestic violence in North Macedonia is still commonplace. As part of the project “Get Encouraged and Do Not Stay Silent about Domestic Violence” by the Roma Association “Cherenja” from Shtip, financially supported by Civica Mobilitas, which included 149 women from the Roma population aged 14 to over 55, were asked if they know what domestic violence is; of that number, 61% said they do know what domestic violence is, whereas 39% did not know. Furthermore, when asked “Have you ever felt like you’ve been a victim

<sup>144</sup> [https://www.stepbystep.org.mk/WEBprostor/priracnici/Report\\_Macedonia\\_MKD\\_FINAL.pdf](https://www.stepbystep.org.mk/WEBprostor/priracnici/Report_Macedonia_MKD_FINAL.pdf)

<sup>145</sup> <https://www.unicef.org/northmacedonia/mk/соопштенија/со-подобра-исхрана-на-децата-во-градинките-и-училиштата-до-квалитетен-ран-детски-раст-и>

<sup>146</sup> [https://www.mtsp.gov.mk/maj-2023-ns\\_article-trencevska-preku-kampanjata-zdrav-obrok-za-sekoe-dete-do-zdravi-naviki-na-decata-za-konsumiranje-na-nspх](https://www.mtsp.gov.mk/maj-2023-ns_article-trencevska-preku-kampanjata-zdrav-obrok-za-sekoe-dete-do-zdravi-naviki-na-decata-za-konsumiranje-na-nspх)

<sup>147</sup> <https://www.unicef.org/northmacedonia/media/13101/file/РАЗБИРАЊЕ%20НА%20БАРИЕРИТЕ%20СО%20ЦЕЛ%20ДА%20СЕ%20ГОЛЕМИ%20ПОБАРУВАЧКАТА%20И%20КВАЛИТЕТОТ%20НА%20ПАТРОНАЖНАТА%20СЛУЖБА.pdf>

of domestic violence”, 76% answered ‘yes’, and 24% answered ‘no’.<sup>148</sup> This study clearly revealed the insufficient education of Roma women about domestic violence, and also the high share of women in the Roma community who have been victims of domestic violence. Hence, it is evident that a serious commitment is needed to set up mechanisms to raise public awareness in the Roma community about domestic violence.

**b) Improving access to gynaecological health care, including prenatal, delivery and postnatal health care services, inter alia, through the provision of information and training.**

In addition to opening a private health facility that provides gynaecological health services in Shuto Orizari, where such health facility had not existed for years, since 2022, HERA has also provided health counselling and services through a pilot programme. 24 family doctors involved in this project provided services related to breast and prostate cancer prevention and menopausal counselling. Almost all of the doctors who had provided services in the previous year related to vaginal examination, including vaginal swab and smear tests, came from towns where, as part of this project, gynaecological practices were equipped within the local health centres – Make-donski Brod, Radovish and Delchevo. During the piloting, a total of 24 women with disabilities, 157 Roma women, 293 women from rural areas and 535 men received over 2,000 contraceptive services by family doctors – including counselling on contraceptive methods and free condoms, contraceptive pills and emergency contraception.<sup>149</sup>

<sup>148</sup> <https://civicamobilitas.mk/wp-content/uploads/2020/11/Ohrabri-se-i-ne-molchi-za-semejnoto-nasilstvo.pdf>

<sup>149</sup> <https://hera.org.mk/semejnite-lekari-partneri-vo-unapreduvaneto-na-seksualnoto-i-reproduktivnoto-zdravje/>

Regarding gynaecological health services, Roma health mediators believe that “the problem lies with the gynaecologists, their lack of cooperation and refusal to see Roma women. According to the mediators, *“women have done regular check-ups at least once with a private doctor, or a public one, if they cannot see a private gynaecologist, so as to determine the status of their pregnancy”*. However, once the pregnancy is confirmed, many of the women (especially in Skopje, Gostivar and Tetovo) do not continue regular examinations, until after delivery. The most common reasons for this include: lack of money for a private doctor, lack of time, or no options for child care.<sup>150</sup>

**63) Focus on the health of Roma and Sinti children through the provision of appropriate paediatric care, including preventive measures such as offering vaccinations in Roma settlements.**

As a country, North Macedonia provides free vaccination for children. There are 11 mandatory vaccines, most of which are polyvalent vaccines against a number of diseases such as tuberculosis, poliomyelitis, measles, rubella, hepatitis B, mumps, haemophilus influenzae type B, human papilloma-virus, diphtheria, tetanus, and pertussis.<sup>151</sup> A 2016 UNICEF report, Assessment of Barriers to Access to Health Insurance for Roma Families, states that “One positive example is childhood immunisation, where data shows that 84% of Roma children un-

<sup>150</sup> <https://www.unicef.org/northmacedonia/mk/%D0%BF%D1%80%D0%B8%D0%BA%D0%B0%D0%B7%D0%BD%D0%B8/%D0%BF%D1%80%D0%B8%D0%B1%D0%BB%D0%B8%D0%B6%D1%83%D0%B2%D0%B0%D1%9A%D0%B5-%D0%BD%D0%B0-%D0%B7%D0%B4%D1%80%D0%B0%D0%B2%D1%81%D1%82%D0%B2%D0%B5%D0%BD%D0%B8%D1%82%D0%B5-%D1%83%D1%81%D0%BB%D1%83%D0%B3%D0%B8-%D0%B4%D0%BE%D1%80%D0%BE%D0%BC%D1%87%D0%B8%D1%9A%D0%B0%D1%82%D0%B0>

<sup>151</sup> <https://www.unicef.org/northmacedonia/mk/приказни/вакцините-даваат-резултати>



der the age of 12 have received all age-appropriate vaccines, and 16% have not. The municipality with the highest share of unvaccinated children is Kumanovo, 37%, who, generally belong to socially disadvantaged families in the lowest socio-economic quintile. Municipalities with the lowest number of similar responses are Tetovo (4%) and Gostivar (8%).<sup>152</sup> However, there is a lack of full paediatric health care, primarily due to a shortage of paediatric physicians. According to this report, 68% of the children aged under 10 have had a health check-up, 36% have visited a dentist, and 64% have seen a paediatrician in the last 6 months.<sup>153</sup> In its 2022 report “Access to Primary Health Care for the Roma Population in North Macedonia”, the civil society organisation ESE states that “Due to the insufficient number of paediatricians, especially in the vicinity of Roma communities, the majority of Roma children (66.8%) are treated by general practitioners or family medicine specialists. The unmet need for health care from a primary health care provider is also present in children under the age of 15. Namely, almost 40% of these children were not taken to a primary health care provider when they needed it”.<sup>154</sup>

## Chapter V of the Action Plan – Improving Access to Education

**67) Ensure that national legislation includes adequate provisions banning racial segregation and discrimination in education and provides effective remedies for violations of said legislation.**

The 2019 Law on Primary Education<sup>155</sup> as well as the 1995 Law on Secondary Education,<sup>156</sup> clearly stipulate provisions prohibiting discrimination within the educational process.

As a new piece of legislation, the Law on Primary Education thoroughly defines the scope of prohibition of discrimination. It clearly identifies the forms of discrimination, as well as the areas where it is prohibited and the individuals it pertains to in primary education.

Namely, in its Article 5, the Law provides that any form of discrimination is prohibited in relation to the educational process, the enrolment in primary education, availability of services and benefits, reasonable adjustment and accessibility to and within facilities, employment, career progression and termination of employment, organising of students, curriculum and textbook content, management and participation in school bodies and functions, financing of primary education and any other area of primary education.

The Law on Primary Education lists the pupils’ parents and guardians, as well as the primary

<sup>152</sup> [https://www.unicef.org/northmacedonia/media/3801/file/MK\\_RomaAccessToHealthPolicyBrief\\_Report\\_MK.pdf](https://www.unicef.org/northmacedonia/media/3801/file/MK_RomaAccessToHealthPolicyBrief_Report_MK.pdf)

<sup>153</sup> Ibid.

<sup>154</sup> [https://esem.org.mk/wp-content/uploads/2024/05/Finalna-analiza\\_Romi\\_PZZ1.pdf](https://esem.org.mk/wp-content/uploads/2024/05/Finalna-analiza_Romi_PZZ1.pdf)

<sup>155</sup> Law on Primary Education (The Official Gazette of the Republic of North Macedonia Nos. 161/19, and 229/20).

<sup>156</sup> Law on Secondary Education (The Official Gazette of the Republic of Macedonia Nos. 44/95, 24/96, 34/96, 35/97, 82/99, 29/02, 40/03, 42/03, 67/04, 55/05, 113/05, 35/06, 30/07, 49/07, 81/08, 92/08, 33/10, 116/10, 156/10, 18/11, 51/11, 06/12, 100/12, 24/13, 41/14, 116/14, 135/14, 10/15, 98/15, 145/15, 30/16, 127/16, 67/17, and 64/18; and The Official Gazette of the Republic of North Macedonia No. 229/20).



school employees, as individuals against whom discrimination is prohibited. In addition to stipulating the prohibition of discrimination, in Article 6, this Law also provides for positive action measures aimed at overcoming discrimination and exclusion of children and adults. The Law states several items as part of these measures, including the inapplicability of the intake zones or the catchment areas regarding pupils with disabilities, exemption from payment of costs for validation of certificates obtained abroad, free transportation for pupils with disabilities, educational mediators, monetary compensation for winning first prize in a national competition, incentives for participation and monetary compensation for winning a prize/medal in an international competition.

In Article 49, the Law on Primary Education also provides for the preparation of a Development Work Programme, where the prevention of discrimination is set as one of the planned segments.

In addition to banning all forms of discrimination and introducing positive action measures, Article 170 of the Law lays down the sanctions for the failure to comply with these provisions, i.e. in the form of a misdemeanour penalty against the principal of the primary school where the discrimination occurred, for which a fine in the amount of €401 to €500 is imposed.

Unlike the Law on Primary Education, the Law on Secondary Education contains only one general provision prohibiting discrimination. This is because the basic text of this law dates back to 1995, when the problem of discrimination and segregation was not yet identified as a risk in the education process in secondary schools.

However, despite the fact that legally stipulated prohibitions and restrictions as well as positive action measures are in place, in practice, cases of segregation of Roma pupils/students in different parts of North Macedonia are still commonplace. This segregation has been noted both by the national courts and by the European Court of Human Rights in the case of *Elmazova and others*

*v. North Macedonia*.<sup>157</sup> In this case, the European Court found that the segregation of Roma children in the educational process in two different primary schools, in Bitola and Shtip, constitutes discrimination. This discrimination, according to the Court, is the result of the failure of North Macedonia to take effective desegregation measures.

In May 2024, the OSCE Mission to Skopje launched a partnership with the Municipality of Bitola in order to overcome the existing level of segregation in primary schools. As part of this cooperation, local stakeholders will engage in a structured dialogue to identify and adopt effective solutions for the desegregation of primary education in the Municipality of Bitola, ensuring equal educational opportunities for all children and fostering a more inclusive society. To this end, the Municipality of Bitola has committed to engaging its resources and community to address this challenge, recognising that segregation in primary schools not only perpetuates inequality, but also hinders social cohesion and development. However, such cooperation is also needed in other municipalities where the issue of segregation of Roma pupils in primary schools is evident, such as Shtip, Prilep and Kochani.

#### **68) Consult Roma and Sinti representatives when developing educational policies pertaining to their communities.**

There are several methods to involve the Roma community in the development of education policies. The most efficient way to engage the Roma community on Roma-related education policies is through the current practice of direct involvement of the civil society sector, i.e. Roma civil society organisations. The greatest contribution in this process over the last two decades was made by the Roma Education Fund, which, in addition to con-

<sup>157</sup> <https://biroescp.gov.mk/wp-content/uploads/2023/03/ЕЛМАЗОВА-и-други-против-СЕВЕРНА-МАКЕДОНИЈА.pdf>

sultations with the competent institutions in the area of education, the Fund was essentially one of the biggest supporters of the development of positive action policies for education of Roma children.

All civil society organisations have the opportunity to get involved in the development of education policies; their valuable contribution stems from the information they have collected from the field regarding the needs of the Roma community.

However, despite this inclusive consultative process, sensitivity to multiculturalism does still remain an issue, as it is crucial in ensuring the right to equal access to education for all citizens. This has been identified as one of the challenges for the education system in North Macedonia. The Education Strategy 2018-2025 and its Action Plan notes that “a large share of pupils from marginalised groups enrol in specialised training and vocational schools where they are not sufficiently integrated, and the subpar quality of the inclusion and multiculturalism is also evident, especially with regard to Roma pupils and pupils with special educational needs”.<sup>158</sup>

**69) Actively promote equal opportunities in the field of education for Roma and Sinti children, particularly by providing language-related or other assistance.**

Learning the Romani language for Roma pupils remains an elective subject, unlike of the opportunity the Albanian and Turkish pupils have regarding their respective first languages. According to the curricula, the right to choose the Romani Language and Culture as a subject is available in the 3rd grade of primary education, whereas secondary school students are not given the opportunity to learn the Romani language. The course is

taught in one class per week in the third grade and two classes per week in grades 4 through 9. The Directorate for the Development and Promotion of Education in the Languages of the Members of the Communities is responsible for implementing the instructions in the elective subject of Language and Culture of the Communities.<sup>159</sup>

Lessons for Roma pupils/students in primary and secondary education are taught in Macedonian, and then most of them choose the elective subject of Romani Language and Culture.<sup>160</sup> For the majority of the Roma people, Romani is their first language. However, more than 95% of Roma pupils receive instructions in Macedonian, which constitutes the first barrier to their successful school career. According to the Ministry of Education and Science, around 2,200 pupils in twelve schools attend such classes (e.g. in Chair, Kichevo, Kumano-vo, Shuto Orizari and Shtip). However, in many municipalities with large Romani population, instructions in Romani language is not available.<sup>161</sup>

Educational mediators have already been institutionally established within the Ministry of Education and Science, forming part of the education system, but only in primary education. This was institutionalised with the 2019 Law on Primary Education.<sup>162</sup>

The 2019 Law on Primary Education has institutionalised educational mediators with the role to support the Roma pupils who come from socially disadvantaged families and/or who have been out of the education system for a longer period

<sup>158</sup> <http://mrk.mk/wp-content/uploads/2018/10/Strategija-za-obrazovanie-MAK-WEB.pdf>

<sup>159</sup> [https://fosm.mk/wp-content/uploads/2020/04/obrazovanie-na-jazicite-na-pomalubrojnite-etnicki-zaednici\\_06.pdf](https://fosm.mk/wp-content/uploads/2020/04/obrazovanie-na-jazicite-na-pomalubrojnite-etnicki-zaednici_06.pdf)

<sup>160</sup> Interview with a teacher from the Braća Ramiz i Hamid school, held on 22.08.2024.

<sup>161</sup> <https://crd.org/wp-content/uploads/2018/02/The-Wall-of-Anti-Gypsyism---Roma-in-Macedonia-Mac.pdf>.

<sup>162</sup> Law on Primary Education (The Official Gazette of the Republic of North Macedonia Nos. 161/19, and 229/20).

of time. Their activities include: raising the awareness of education opportunities and access to schools, conducting regular meetings to inform the community and the teaching staff about the specific needs of vulnerable groups in the area of education, regularly collaborating with the teaching and non-teaching staff to improve pupils' performance, and taking actions to prevent withdrawal from school.

The law also stipulates that, for the purposes of the selection process of mediators, the Minister of Education and Science shall set up a five member committee, where one of its members shall be a representative of civil society organisations, involved in the promotion of Roma rights.

**70) Take special measures to enhance the quality and effectiveness of education for Roma and Sinti children. Encourage increased representation of Roma and Sinti people among school teachers.**

In the last decade, several key steps have been taken to ensure higher quality and effectiveness in the education of Roma children. Namely, through initiatives that were originally launched by the civil society sector, both international and domestic, new institutes were introduced in the educational system of the country.

The first step, which resulted in an increased number of pupils and students in the overall educational process, was the provision of scholarships for Roma pupils. The second step, which actually ensured accessibility for Roma pupils, was the opportunity to at least electively study the subject of Romani Language and Culture. The third step was directly related to the provision of information about the education process through educational mediators. The fourth step, which directly affects the Roma pupils individually, was to provide mentors/tutors who make sure that pupils are engaged in the education system in a simpler and more effective way.

However, a serious challenge remains as to how to safeguard the constitutionally guaranteed right to education, given the number and representation of Roma teachers in the education system. For example, the primary school with the largest number of Roma pupils and teachers, the Braća Ramiz i Hamid Primary School, reflects the current factual situation with regard to this issue. Of the 119 teachers, only 12 are Roma, whereas 99% of the pupils are Roma.

**71) Include Roma history and culture in educational texts, particularly emphasising the experience of Roma and Sinti people during the Holocaust.**

The Bureau for Development of Education has instructed teachers to include information and reading lists about the Holocaust in the syllabus for the elective subject of Romani Language and Culture. However, the curriculum includes no specific sections on providing broader education to Roma pupils about the Holocaust and its Roma victims.<sup>163</sup>

Subjects taught in Macedonian or in another language, such as History, Civil Society etc., do not provide any information about Roma victims of the Holocaust.

However, an idea was launched in the Assembly of North Macedonia to declare the 2nd of August as Roma Holocaust Memorial Day, in accordance with the Resolution of the European Parliament adopted on 08.04.2015.

In 2021, Member of Parliament Ljatif Shikovska proposed to make the 2nd of August an official day of remembrance for the Roma victims of the Holocaust, allowing our country, as a democratic

<sup>163</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Shabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

and multicultural nation, to make its contribution by including information related to the genocide of the Roma in its history textbooks. She also asked that efforts be made to erect a monument for the Roma victims of the Holocaust, as a memorial to remind us of tragedies that should never happen again. However, to this day, no discussion has been initiated in the Assembly on the proclamation of the 2nd of August as a memorial day for the Roma victims of the Holocaust.

**72) Consider measures to ensure the respect, protection and promotion of the Romani language and its teaching, and of Roma culture as an integral part of the Roma and Sinti cultural heritage.**

The possibility for Roma pupils to be taught in their first language and learn more about their own culture, i.e. the Roma culture, presented itself at a relatively later stage than for other ethnic minorities. Since its introduction in the 2008/2009 school year, the learning of the Romani language has remained an elective subject.

An attempt was made 15 years ago to introduce the Romani language at the Faculty of Philology, but this effort was short-lived. Currently, there are no opportunities to study the Romani language and culture as part of university education in North Macedonia. It is this anomaly of the educational system that, in fact, constitutes one of the barriers to the development of the Romani language and the study and promotion of Roma culture, which has a direct impact on the education process of the Roma in North Macedonia.

In primary education, Roma pupils are taught in Macedonian in the majority of schools where they are enrolled, and from the 3rd grade in primary education, they have the opportunity to start learning the subject of Romani Languages and Culture in one class per week, and two classes per

week in grades 4 through 9. In practice, almost all Roma pupils take this course, whereas pupils from other ethnicities show no interest in studying the subject of Romani Language and Culture.

Drawing from the interviews conducted with teachers from schools where the subject of Romani Language and Culture is taught, the main reason as to the lack of education in Romani is the absence of teachers who have received university-level qualification to teach in Romani. According to our interlocutors' observations, it often happens that teachers teach Romani Language and Culture without having the proper education, i.e. qualification to teach the Romani language.

Pupils can attend Romani Language and Culture classes only in six municipalities and 13 schools.<sup>164</sup>

**73) Develop and implement comprehensive school desegregation programmes aimed at: (1) discontinuing the practice of systematically routing Roma children to special schools or classes (e.g., schools for mentally disabled persons, schools and classes exclusively designed for Roma and Sinti children); and (2) transferring Roma children from special schools to mainstream schools.**

According to the 2016 Report of the European Commission against Racism and Intolerance, the referral of Roma children to special schools has decreased over the past decade in North Macedonia. However, back then, the rate was still relatively high, at 37%.

A new concept of primary education was introduced in the education system of North Macedonia, according to which special primary schools were transformed to primary schools with re-

<sup>164</sup> <https://www.osce.org/files/f/documents/4/6/557823.pdf>

source centres, and special classes into learning centres for pupils with disabilities.<sup>165</sup>

However, the new Law on Primary Education incorporates an integrative education system, meaning that special schools will only operate until 2021. As of 2022, special schools will continue to function as support centres for integrating children into regular schools.<sup>166</sup>

There is still segregation in the education system in North Macedonia, mostly towards Roma pupils/students. This situation has been noted both in relevant reports and in the judgements of the national courts and the European Court of Human Rights, in the case of *“Elmazova and others v. Macedonia”*. Even though the judgement of the European Court clearly and directly indicates what general and specific measures should be taken to overcome the instances of segregation, North Macedonia has yet to either design or implement any general or specific measures regarding segregation in the education system in North Macedonia.<sup>167</sup> This primarily concerns the system of school zoning that needs to be revised in order to overcome the existing situation, especially in the

towns of Bitola, Shtip and Prilep<sup>168</sup>, and recently in Kochani.

**74) Allocate financial resources for the transfer of the Roma children to mainstream education and for the development of school support programmes to ease the transition to mainstream education.**

The gradual phasing of Roma children back to the education process in primary schools is one of the biggest challenges. Educational mediators, who come from the Roma community, are actively engaged in this process. The role of educational mediators is to provide support to Roma pupils who come from socially disadvantaged families and/or who have been excluded from the education system for a longer period of time.<sup>169</sup>

In order to reduce the number of pupils/students withdrawing from primary or secondary education, in 2018, the Bureau for Development of Education had developed a Guidebook for the Work of the School Inclusive Team – Inclusive School.<sup>170</sup>

This Guidebook includes two separate protocols; one for monitoring and reducing the withdrawal from schools, and the other for monitoring the participation of pupils with special educational needs and pupils from marginalised groups in curricular and extracurricular activities<sup>171</sup>.

The Protocol for monitoring and reducing the withdrawal from schools, and the Protocol for monitoring the participation of pupils with special

<sup>165</sup> <https://dijalogkoneu.mk/wp-content/uploads/2022/09/%D0%A0%D0%B5%D1%84%D0%BE%D1%80%D0%BC%D0%B8-%D0%B8-%D0%BF%D1%80%D0%B5%D0%B4%D0%B8%D0%B7%D0%B2%D0%B8%D1%86%D0%B8-%D0%BD%D0%B0-%D0%B8%D0%BD%D0%BA%D0%BB%D1%83%D0%B7%D0%B8%D0%B2%D0%BD%D0%BE%D1%82%D0%BE-%D0%BE%D0%B1%D1%80%D0%B0%D0%B7%D0%BE%D0%B2%D0%B0%D0%BD%D0%B8%D0%B5-%D0%B2%D0%BE-%D0%A1%D0%B5%D0%B2%D0%B5%D1%80%D0%BD%D0%B0-%D0%9C%D0%B0%D0%BA%D0%B5%D0%B4%D0%BE%D0%BD%D0%B8%D1%98%D0%B0.pdf>

<sup>166</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

<sup>167</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Shabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>168</sup> [https://www.errc.org/uploads/upload\\_en/file/5555\\_file1\\_komisijata-za-sprecuvanje-i-zastita-od-diskriminacija-utvr-di-diskriminacija-i-segregacija-na-ucenici-romi-vo-prilepsko-uciliste.pdf](https://www.errc.org/uploads/upload_en/file/5555_file1_komisijata-za-sprecuvanje-i-zastita-od-diskriminacija-utvr-di-diskriminacija-i-segregacija-na-ucenici-romi-vo-prilepsko-uciliste.pdf)

<sup>169</sup> Ibid

<sup>170</sup> [https://mon.gov.mk/stored/document/MK\\_%20revidiran\\_Vodic%20za%20rabota%20na%20UIT\\_final\\_WEB.pdf](https://mon.gov.mk/stored/document/MK_%20revidiran_Vodic%20za%20rabota%20na%20UIT_final_WEB.pdf).

<sup>171</sup> Ibid.



educational needs and pupils from marginalised groups in curricular and extracurricular activities stipulate that the School Inclusive Team, comprising members of the teaching staff, should collect information about pupils who withdraw from school, and then the same teaching staff together with educational mediators should undertake activities to bring the pupils back to school. The protocol also enables channels of communication with the pupils' families in order to inform them and raise their awareness of the importance of education and the necessary support for pupils to attend school. The School Inclusive Team is responsible to analyse the reasons for withdrawal from school.

When it comes to monitoring the participation of pupils with special educational needs and pupils from marginalised groups in curricular and extracurricular activities, the School Inclusive Team, together with the teaching staff, if so needed, may monitor the level of engagement of pupils with special educational needs and pupils from marginalised groups in instruction.

**75) Facilitate the access of Roma children to mainstream education by taking measures such as:**

**a) Taking measures to eradicate prejudice against Roma and Sinti people in schools;**

In the past decade, there have been a number of activities in the education system of North Macedonia, to ensure consistent teaching practices to overcome stereotypes and prejudice against one's ethnic background, including Roma pupils and the Roma community in schools. Through different programmes and projects and over an extended period of time, various activities have been organised to detect and identify discrimination, involving both teachers and other representatives. Namely, the Ministry of Education and Science and

the OSCE Mission to Skopje collaborated through the project "Building New Bridges" to improve the interethnic relations among young people through integrated education and joint activities. "Building New Bridges" is an extension of the original Building Bridges Fund aimed at improving the social cohesion, including providing support for nearly 200 schools and kindergartens and benefiting more than 35,000 pupils.<sup>172</sup>

The Pestalozzi Children's Foundation supported the project "Strengthening Multi-ethnic Cooperation in Municipalities" in the period between 2011 and 2022.<sup>173</sup> This project covered 27 ethnically mixed schools in 9 municipalities (Bitola, Butel, Strumica, Tetovo, Kumanovo, Radovich, Struga, Gostivar and Dolneni), where activities were carried out to improve interethnic integration in education by conducting curricular and extracurricular activities with pupils of different ethnic origins, and thus contribute to strengthening the multi-ethnic cooperation and tolerance in these municipalities. The project was implemented by the Macedonian Civic Education Centre in partnership with the Bureau for Development of Education, as well as primary schools and municipalities covered by the project.

Over a period of 11 and a half years, the project yielded effective results with regard to developing skills and competencies for intercultural education through active participation in various activities (joint school clubs, blended classes, focus groups, surveys), providing opportunity to meet other pupils who are taught in another language, developing friendships between pupils of different ethnicities in and out of school, allowing the teachers to apply intercultural education in regular classes based on the guidelines received from advisors at the Bureau for Development of Education, as well

<sup>172</sup> <https://www.osce.org/mk/mission-to-skopje/540236>

<sup>173</sup> <https://mk.mcgo.org.mk/projects/strengthening-multi-ethnic-cooperation-in-municipalities/>



as improving teaching and learning practices in the subject of Civic Education.<sup>174</sup>

In addition to this long-term project, several other projects and programmes have been implemented to reduce prejudice and stereotypes between national communities in North Macedonia, such as the Project for Interethnic Integration of Youth in Education<sup>175</sup>, FUNDED BY USAID, AND THE PROJECT REGULAR ATTENDANCE IN CLASSES – ACTION FOR THE INCLUSION OF ROMA IN PRIMARY EDUCATION, FUNDED BY THE EUROPEAN UNION.

As part of the Project for Interethnic Integration of Youth in Education, which was implemented between 2012 and 2017, a process of positive interactions between young people of different ethnicities in schools and the community was established, while improving the youth civic education skills, behaviours and volunteer practices. This process resulted in 85 youth initiatives and joint student activities with the involvement of over 1,300 students from different ethnic communities, as well as over 300 creative workshops and forum theatres with about 160 students in eight secondary schools. In addition to these activities, the project organised 9 public discussions in all municipalities involved in the first year of the project, engaging more than 800 students, teachers, parents, mayors and representatives of municipalities.

#### **b) Training of educators regarding multicultural education and ways of dealing with ethnically mixed classes;**

One of the key components incorporated in the above-mentioned projects, i.e. the Project for Strengthening the Multiethnic Cooperation in Municipalities covering the period between 2011-

2022, the Project for Interethnic Integration of Youth in Education<sup>176</sup> funded by USAID, and the Project REGULAR ATTENDANCE IN CLASSES – Action for the Inclusion of Roma in Primary Education, was training the teaching staff on inclusion and multiculturalism.

As part of the project REGULAR ATTENDANCE IN CLASSES – Action for the Inclusion of Roma in Primary Education, four-day training sessions on social justice and on identifying and addressing discrimination were delivered to 153 teachers and other non-teaching staff members in 47 primary schools where Roma students attend regular classes.<sup>177</sup>

Also, as part of the Project for Strengthening the Multiethnic Cooperation in Municipalities,<sup>178</sup> within the regular curriculum, additional education was delivered for the teaching staff in the selected 27 ethnically mixed schools, according to the guidelines from the Bureau for Development of Education pertaining to Civil Society.

In addition to these flagship projects, efforts have been made in the past decade to introduce multiculturalism in education, i.e. in primary and secondary education.

#### **C) DEVELOPING STRATEGIES TO GAIN WIDER COMMUNITY SUPPORT FOR THE/ DESEGREGATION OF SCHOOLS;**

When it comes to building strategies for a wider integration in schools, through the Ministry of Education and Science, North Macedonia has adopted an Education Strategy 2018-2025 with an Action

<sup>174</sup> Ibid.

<sup>175</sup> <https://2017-2020.usaid.gov/mk/macedonia/fact-sheets/youth-ethnic-integration-project>

<sup>176</sup> <https://2017-2020.usaid.gov/mk/macedonia/fact-sheets/youth-ethnic-integration-project>

<sup>177</sup> <https://fosm.mk/wp-content/uploads/2022/10/broshura-redovno-na-chasovi-255x230-final.pdf>

<sup>178</sup> <https://mk.mcgo.org.mk/projects/strengthening-multi-ethnic-cooperation-in-municipalities/>

Plan for implementing the strategy.<sup>179</sup> The Strategy incorporates the integration as part of the Strategy's vision, but also as part of the priorities for primary and secondary education. Namely, the vision of the Strategy among other things, is aimed at "the acceptance of multiculturalism, interethnic integration, respect for diversity and democratic values".<sup>180</sup> With regard to primary and secondary education, integration in schools has been set as one of the main priorities. Namely, in terms of primary education, the priority is to ensure improved teaching of the underrepresented languages, as well as the subjects through which the language and the culture of the communities is taught, especially the communities whose education is delivered in a language other than their first language; the priority with regard to secondary education is to increase student enrolment and enhance the inclusion and interethnic integration in secondary schools, all the while achieving better interaction between students who are taught in a different language.

As part of the implementation process of the Education Strategy 2018-2025 and its Action Plan, the Project for Strengthening the Multiethnic Cooperation in Municipalities supported by the Pestalozzi Children's Foundation, the Project for Interethnic Integration in Education (PMIO), and the Project for Interethnic Integration of Youth in Education (MIMO) supported by USAID were implemented. As of 2018, the "Building Bridges" project of the OSCE Mission to Skopje, extended as "Building New Bridges" in 2023, has been actively supporting the joint activities in schools with pupils/students from different communities who are taught in different languages. This project aimed to enhance interaction, understanding and integration in schools by creating a space for dialogue, tolerance and cooperation among young people. As part of the "Building New Bridges" project, 14 schools

received grants to implement joint curricular and extracurricular activities. These activities involved children from different ethnic origins who learn in different languages, with the objective to promote multiculturalism, unify and build bridges of understanding among communities.

An environment of mutual trust and understanding should be constantly encouraged and supported as the basis for social peace and security.<sup>181</sup>

These programme activities and projects actually helped the Bureau of Development of Education to develop Standards for Intercultural Education<sup>182</sup>. This document basically defines the standards for intercultural education across 7 areas: Cultural Identity, Multiculturalism, Interculture, Social Justice and Equality, Stereotypes and Prejudices, Peace and Peaceful Conflict Resolution, and Globalisation. The differentiation of these standards was made according to the education cycles, following the national education system and its division in education cycles as primary education: Level 1: 6-9 years old (grades I-III); Level 2: 9-12 years old (grades IV-VI); and Level 3: 12-15 years old (grades VIII-X).<sup>183</sup>

There is no specific section on Roma within the integration standards; rather, this document has a general approach and is applicable to all ethnic and religious communities.

**d) Providing support to bridge the gap between Roma and Sinti children and other pupils, including through preschool programmes designed to prepare Roma and Sinti children for primary school;**

<sup>179</sup> <http://mrk.mk/wp-content/uploads/2018/10/Strategija-za-obrazovanie-MAK-WEB.pdf>

<sup>180</sup> Ibid.

<sup>181</sup> <https://www.osce.org/mk/mission-to-skopje/540236>

<sup>182</sup> <https://www.bro.gov.mk/wp-content/uploads/2021/08/Standardi-za-interkulturno-obrazovanie-Makedonska-verzija.pdf>.

<sup>183</sup> Ibid.

As part of preschool programmes, several programmes have been implemented in the past decade with the aim of increasing the inclusion of Roma children in preschool facilities – kindergartens, as a form of preparation for primary education.

The Ministry of Social Policy, Demography and Youth (formerly the Ministry of Labour and Social Policy until June 2024), together with the Roma Education Fund, in the period between 2006 and 2021 had implemented the Project “Inclusion of Roma Children in Preschool Education”, which focused on removing the existing barriers to preschool institutions for Roma children aged 3 to 6 years, inclusion of children and their socialisation, as well as strengthening the awareness among their parents of the importance of early childhood development and education of their children.<sup>184</sup> Over the course of the 16-year duration of this project, 5,000 Roma children were involved in 20 different municipalities where Roma communities live. 20 Roma nursery teachers and 17 mediators were engaged in preschool facilities in these municipalities in order to facilitate the process of inclusion and integration of Roma children primarily in preschool education, as well as to prepare them for primary education. The result of this project is the number of Roma children enrolled in kindergartens, and the employment of Roma nursery teachers in preschool facilities – kindergartens. The implementation of this project allowed Roma children to be integrated together with children from other communities living in North Macedonia, as opposed to being segregated.<sup>185</sup>

In addition to the project “Inclusion of Roma Children in Preschool Education”, the Roma Education Fund and the European Union financially supported yet another project on preschool education and early childhood development of Roma children and pupils. Namely, the project “Enhancing the Access and Participation of Roma Children to Quality Early Childhood Development and Primary Education” was implemented by the Association for Support of Marginalised Groups “Roma Resource Centre” from Skopje in partnership with the Association for Democratic Development of the Roma “Sonce” from Tetovo. The project took place between October 2018 and July 2021 in three municipalities in North Macedonia: Shuto Orizari, Tetovo and Gostivar.<sup>186</sup> The project included 207 Roma children aged one and two, in preschool facilities in the Municipalities of Shuto Orizari, Tetovo and Gostivar before entering primary education. With regard to primary education, the project’s activities involved 213 Roma pupils in first, second and third grades in the Municipalities of Shuto Orizari, Tetovo and Gostivar in the tutoring support programme. Moreover, in addition to engaging kindergarten children and primary school pupils, more than 300 parents were directly involved in the project activities in order to learn more about the educational process and overcome the barriers regarding the inclusion of Roma children in regular educational process<sup>187</sup>.

**(e) Providing support to increase the number of mediators/trainers and teachers from the Roma communities.**

<sup>184</sup> <https://www.mtsp.gov.mk/inkluzija-na-deca-romi-vo-detski-gradinki.nspix>

<sup>185</sup> [https://www.mtsp.gov.mk/juni-2022-ns\\_article-trencevska-inkluzijata-na-decata-romi-vo-preducilishniot-proces-e-klucna-za-nivniot-ponatamoshen-det.nspix](https://www.mtsp.gov.mk/juni-2022-ns_article-trencevska-inkluzijata-na-decata-romi-vo-preducilishniot-proces-e-klucna-za-nivniot-ponatamoshen-det.nspix)

<sup>186</sup> <https://rrc.org.mk/project-increasing-the-access-to-education/>

<sup>187</sup> <https://rrc.org.mk/project-increasing-the-access-to-education/>

The 2019 Law on Primary Education<sup>188</sup> introduced systemic changes that directly affected Roma pupils, by providing special measures for greater inclusion of the Roma community in the educational process in North Macedonia. The educational mediators were one of the novelties introduced by this law, who have since been able to support Roma pupils who come from socially disadvantaged families or who are outside the education system. Educational mediators were previously introduced in the primary schools as one of the objectives of the *“Roma Strategy in the Republic of Macedonia”*, for the financing, selection and organisation of which the Ministry of Education and Science was responsible.<sup>189</sup> The Ministry of Education and Science has been providing financial support for the engagement of educational mediators since 2018, when the funds were provided for the engagement of 20 Roma educational mediators, while their number has increased to 40 in the 2023/2024 school year. These educational mediators are engaged in the municipalities in North Macedonia where the number of pupils from the Roma ethnic community is high: Shuto Orizari, Čair, Centar, Butel, Karposh, Ćorče Petrov, Aerodrom, Gazi Baba, Kisela Voda, Tetovo, Gostivar, Kichevo, Ohrid, Struga, Negotino, Debar, Bitola, Prilep, Kumanovo, Shtip, Kochani, Vinica, Delchevo, Berovo, Veles, Gradsko, Kavadarci and Kriva Palanka. An educational mediator is responsible to improve the awareness of opportunities and access to schools, conducting regular meetings to sensitise the population and primary school staff with the specificities and needs of vulnerable groups in the area of education, regularly collaborating with the teaching and non-teaching staff to improve pupils' performance, and taking actions to curb the withdrawal from school.

<sup>188</sup> Law on Primary Education (The Official Gazette of North Macedonia Nos. 161/19, and 229/20).

<sup>189</sup> <http://www.nationalromacentrum.org/mk/publikacii/brosuri-i-posteri/voveduvanje-romski-obrazovni-medijatori-vo-osnovnoto-obrazovanie/>

The engagement of educational mediators is done through a public advertisement, published once a year, i.e. at the beginning of the school year, and it clearly stipulates the requirements for applying for the position of educational mediator. Namely, the individual applying for an educational mediator has to meet the following requirements: no current employment, a North Macedonia national, and a member of the Roma ethnic community; moreover, the candidate must have completed at least four years of secondary education, and have the necessary communication and computer skills (Microsoft Office), experience of field work with the Roma community, the civil society sector, local population, local institutions and schools, and be recognised and form part of the community in which they will work.<sup>190</sup> Educational mediators receive a gross fee of 18,000 denars for a period of 10 months. The interest in being hired as educational mediators is high among persons of Roma ethnicity.<sup>191</sup> The number of mediators has doubled in just 5 years, which underlines that they are genuinely needed in the Roma communities.

In terms of the teaching staff from the Roma community, according to the State Statistical Office data, 12 Roma teachers are employed in primary schools while only 5 Roma teachers are employed in secondary schools.<sup>192</sup> There aren't any specific measures to increase these numbers, despite the drastic increase in scholarships for Roma students.

<sup>190</sup> <https://mon.gov.mk/content/?id=7271>

<sup>191</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Shabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>192</sup> [https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat\\_ObrazovanieNauka\\_SrednoObrazovanie\\_KrajUcebna/400\\_sredniucilista\\_rsm\\_t13\\_ml.px/table/tableViewLayout2/?rxid=ef8122dc-af33-483a-9284-bbdbfee6960d](https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat_ObrazovanieNauka_SrednoObrazovanie_KrajUcebna/400_sredniucilista_rsm_t13_ml.px/table/tableViewLayout2/?rxid=ef8122dc-af33-483a-9284-bbdbfee6960d)

**76) Develop and implement anti-racist curricula for schools, and anti-racism campaigns for the media.**

The primary and secondary education syllabi don't have a separate section that refers to antiracism or antigypsyism. There is a manual titled "Responding to Racism"<sup>193</sup> developed by the Council of Europe, which provides guidelines for understanding the term racism as well as for designing policies to deal with racism. This manual also covers the issue of racism, prejudice and stereotypes towards the Roma people.

Prejudice and stereotypes against the Roma are still commonplace in North Macedonia, as evidenced by the activities and opinions adopted by the Commission for Protection against Discrimination, as well as the court decisions passed by national and international courts (referred to in Point 67 of this Report).

**77) Develop policies that address the full range of factors which contribute to low-school attendance by Roma and Sinti children. This includes, inter alia, ensuring that Roma and Sinti families have the necessary documentation for registration as any other inhabitants.**

Over the past decade, North Macedonia has taken a set of measures to increase the number of Roma children in the education system. These measures are primarily part of the institutions' systemic approach to include and integrate Roma children in primary and secondary education. As a result of measures such as additional learning, scholarships and tutoring for Roma students in secondary schools, and the effect of the work of educational mediators, who have an active role in the

Roma community, the number of Roma children enrolled in primary and secondary education has drastically increased.

Namely, in the 2019/2020 school year, 9,554 Roma pupils were enrolled in primary education, of which 521 left school, of which 30.9% were phased back into the educational process, and 9,194 or 95.23% completed the school year. In the 2020/2021 school year, 10,048 pupils were enrolled and the school year was completed by 96.80%; whereas in the 2021/2022 school year, 10,155 pupils were enrolled and the school year was completed by 9,546 or 94.99%. The highest rate of pupils completing the school year was in 2022/2023, when out of the 11,055 enrolled pupils, 10,787 pupils or 97.57% completed the school year. In the 2022/2023 school year, the number of pupils who had left school was 530 or 4.8%, of which 262 or 49.43% were reintegrated in the education process.<sup>194</sup>

Secondary education too, has seen a rising trend in the rate of enrolled students and students completing the school year. This rate has ranged from 92.36% in the 2019/2020 school year, 95.93% in the 2020/2021 school year, followed by a slight drop in the rate in the 2021/2022 school year; whereas this rate in the 2022/2023 school year was 94.91%, when the number of students who had left school was at the lowest, at 5%.<sup>195</sup>

With regard to providing the necessary documents for individuals who are not registered in the Civil Registers, the Law on Unregistered Persons in the Birth Register was passed in February 2020.<sup>196</sup>

<sup>193</sup> <https://www.coe.int/mk/web/compass/responding-to-racism>

<sup>194</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Šabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>195</sup> Ibid.

<sup>196</sup> Law on Unregistered Persons in the Birth Register (The Official Gazette of North Macedonia No. 42/2020).



Through this law, 786<sup>197</sup> of the total number of unregistered persons in North Macedonia were registered by 2024, which allowed the newly registered persons to obtain a Certificate from the Special Birth Register and an identification document and thus exercise their right to education, among other related rights.

The Law amending and supplementing the Law on Citizenship of the Republic of Macedonia (at the time) was adopted in 2021, which provided a simplified procedure for acquiring citizenship to individuals who were nationals of another republic of the former SFRY, and who had lived on the territory of the country until the 8th of September 1991, i.e. until Republic of Macedonia declared its independence. This opportunity is in force for a period of three years following the enactment of the amendments, i.e. until August 2024.

As of 10.07.2024, this legal opportunity was used by 103 individuals, of whom 81 were granted citizenship of North Macedonia, whereas the proceedings for another 22 individuals are still in progress.

The main issue in conducting the proceedings is the lack of cooperation on the part of the citizenship applicants, who often fail to report to and communicate with the Ministry of Internal Affairs, which hinders the fast-tracking process and the provision of necessary evidence.

198.

#### **78) Consider elaborating social support programmes for low-income Roma families with school-aged children.**

With regard to social benefits for low-income families with schoolchildren, North Macedonia has ensured a special assistance under the Law on Chil-

dren.<sup>199</sup> The 2019 amendments to this Law ensure <sup>200</sup>special assistance – an education allowance – for households that have children who regularly attending primary or secondary education in the schools in North Macedonia.

The requirement for recipients of this financial assistance is for the household to have a total average monthly income earned in the three months prior to applying for the said aid as well as for the duration thereof, on all grounds and for all household members, in an amount less than the threshold of the financial assistance, which is set at 6,800 denars (€110), with a maximum possible increase to 31,930 denars (€519) for a family of eight. The amount of the education allowance is 700 denars (€11.5) per month for a primary school pupil, and 1,000 denars (€16.2) per month for a secondary school student, for a single school year. Interestingly, this allowance is distributed during a 12 months period, i.e. the annual amount of the education allowance for primary education in a school year is 8,400 denars per child, and for secondary education in a school year is 12,000 denars per child. The disbursement of the education allowance is made in four equal amounts of 2,100 denars to the recipient of the education allowance for a primary school child, and four equal amounts of 3,000 denars to the recipient of the education allowance or a secondary school child, following the end of each of the period laid down by this Law.

A basic requirement for this assistance is that the pupil/student attends at least 85% of the total

<sup>197</sup> Interview with Vildan Drpljanin, UNHCR, held on 23.07.2024.

<sup>198</sup> Interview with Vanĝa Zikova, Ministry of Internal Affairs, held on 11.07.2024.

<sup>199</sup> Law on the Protection of Children (The Official Gazette of the Republic of Macedonia Nos. 23/13, 12/14, 44/14, 144/14, 10/15, 25/15, 150/15, 192/15, 27/16, 163/17, 21/18, and 198/18; and The Official Gazette of North Macedonia No. 104/19, 146/19, 275/19, 311/20, 294/21, 150/22, and 236/22).

<sup>200</sup> Law amending and supplementing the Law on the Protection of Children (The Official Gazette of North Macedonia No. 104/19).



number of delivered classes, for which a separate record is kept.

In addition to the education allowance, yet another form of aid is provided through the provision of free textbooks and free transport, as well as scholarships for Roma pupils/students, referred to in Point 81 of this Report.

**79) Promote regular school attendance by Roma and Sinti children, inter alia, through the involvement of family and social mediators, the promotion of awareness by Roma and Sinti parents and elders of their responsibility to facilitate children's school attendance and, in particular, equal access to education for girls.**

According to the State Statistical Office data, the share of Roma children in preschool education is 2.54%, whereas the withdrawal from primary and secondary education is 6% and 4% respectively.<sup>201</sup>

This rate has been significantly reduced compared to the previous decade, when the rate of withdrawal of Roma pupils in primary schools was on average 8%, meaning that this rate has decreased by 25%.

In secondary education, the average rate of withdrawal of Roma students used to be 16%, but it has consistently remained in single digits since 2016, when scholarships for Roma students were first introduced; thus, this rate in the 2020/2021 school year was 4.06%.<sup>202</sup>

A negative trend was seen in the 2021/2022 school year, when the rate of withdrawal from secondary

schools by Roma students was in double digits at 10.91%, which is still a more positive trend compared to 2016, when the average rate was 16%.

In order to eradicate the withdrawal from schools by Roma pupils/students, one of the key measures in the Roma Inclusion Strategy 2022-2030 with regard to education is aimed at reducing the rate of withdrawal by 2030. The target is to increase the participation of Roma children in preschool education to 8%, and reduce the rate of withdrawal in primary education to 2%, and in secondary education to 1%.<sup>203</sup>

With regard to providing equal access to education for Roma girls, there has been a steadily growing trend in the number of Roma school girls compared to Roma school boys.

**80) Focus more on providing Roma and Sinti girls with equal opportunities for educational and social inclusion and develop programmes to counter the particularly high rate of withdrawal.**

Within the educational process, the share of female Roma pupils in primary education has been relatively equal to that of male Roma pupils, i.e. in terms of the total number of pupils, 48% are girls and 52% are boys; whereas in terms of the number of pupils completing the school year, 49% are girls versus 51% boys.<sup>204</sup>

With regard to secondary education, the rate of male students is higher namely 53%, versus 47% for girls.

<sup>201</sup> [https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat\\_ObrazovanieNauka\\_OsnovnoObrazovanie\\_KrajUcebna/325\\_osnucil\\_op\\_krajT10\\_ml.px/table/tableViewLayout2/?rxid=ef8122dc-af33-483a-9284-bbdbfee6960d](https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat_ObrazovanieNauka_OsnovnoObrazovanie_KrajUcebna/325_osnucil_op_krajT10_ml.px/table/tableViewLayout2/?rxid=ef8122dc-af33-483a-9284-bbdbfee6960d)

<sup>202</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Šabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>203</sup> <https://www.mtsp.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>

<sup>204</sup> [https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat\\_ObrazovanieNauka\\_OsnovnoObrazovanie\\_KrajUcebna/325\\_osnucil\\_op\\_krajT10\\_ml.px/table/tableViewLayout2/?rxid=ef8122dc-af33-483a-9284-bbdbfee6960d](https://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat_ObrazovanieNauka_OsnovnoObrazovanie_KrajUcebna/325_osnucil_op_krajT10_ml.px/table/tableViewLayout2/?rxid=ef8122dc-af33-483a-9284-bbdbfee6960d)

However, with regard to child marriages, there is a disproportion between boys and girls entering child marriages. Namely, the 2021 Census registered 260 boys aged 15-19 who reported being married, compared to 1,355 girls with the same marital status. There isn't any data in the census regarding the ethnic representation in child marriages, but if we consider the municipalities where these marriages are most common, for example, Strumica (104), Shuto Orizari (78), Prilep (73), Radovish (54), Gostivar (53), Tetovo (48)<sup>205</sup>, it can be concluded that these are municipalities with large Roma communities.

**81) Consider developing appropriate programmes for those who have not completed primary school or are illiterate.**

According to the 2021 Census, the illiteracy rate of the population over the age of 15 in North Macedonia is 1.24%.<sup>206</sup>

The illiteracy rate has dropped by 60% compared to the 2002 Census, when the rate was 3%. However, the illiteracy rate specifically for the Roma people in North Macedonia has not been determined separately within the census.

There are various non-formal education programmes within the Adult Education Centre, but none of these programmes specifically address the non-literate population. These programmes also include trainings, and are primarily concerned with the acquisition of skills, but not specifically with teaching literacy.

<sup>205</sup> [https://www.unicef.org/northmacedonia/media/14391/file/MK\\_CensusForChildren\\_Report\\_2024\\_MKD.pdf](https://www.unicef.org/northmacedonia/media/14391/file/MK_CensusForChildren_Report_2024_MKD.pdf)

<sup>206</sup> <https://www.stat.gov.mk/publikacii/2022/Statistichki-atlas-mk-en-web.pdf>

However, there are a number of activities that teach literacy to adult Roma individuals in North Macedonia, through projects implemented by civil society organisations. Namely, as part of the regional project “Boosting Literacy and Numeracy Skills for Roma People – Roma Plus”, analyses were made of the scope of literacy trainings provided to Roma adults.<sup>207</sup> This project was implemented in the period between 2020 and 2022, within which 60 Roma adults received literacy training; 10 individuals were trained as trainers, and 6 civil society organisations were equipped with new skills to support the Roma community. In addition, the project has contributed to ensure that at least 100 Roma students learn how to use the Massive Open Online Courses (MooC) platform.

In 2020, the civil society organisation SUMNAL, implemented the “RomaABC Goes Forward” activity as part of a regional project, where a special Training Manual for trainers and mediators was developed on Roma-related literacy measures. This training manual applies to adult education stakeholders who plan and implement literacy courses for the Roma.<sup>208</sup>

There are no adult literacy programmes within the Ministry of Education and Science.<sup>209</sup>

<sup>207</sup> Analyses of the need for literacy training for Roma adults developed within the Roma Plus project – Roma Resource Centre ([rrc.org.mk](http://rrc.org.mk)).

<sup>208</sup> “RomaABC-Goes-Forward”-Literacy-Training-Manual-for-Roma-and-other-vulnerable-groups-in-Europe.pdf ([sumnal.mk](http://sumnal.mk)).

<sup>209</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Šabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

**82) Develop, where necessary, scholarship programmes for Roma students and encourage their increased participation in existing scholarship programmes.**

Starting from the 2016/2017 school year, the Ministry of Education and Science launched a pupil scholarship programme fully covered by the Government of the Republic of Macedonia<sup>210</sup> (at the time). This programme is a continuation of the scholarship programme for Roma pupils funded and implemented by the Roma Education Forum and the Open Society Foundation Macedonia together with the Ministry of Education and Science.

In the 2016/2017 school year, in compliance with the amendments to the Law on Pupils' Standard<sup>211</sup>, the Ministry of Education and Science introduced for the first time a special legal opportunity for Roma pupils to be awarded scholarships, providing that they meet only three of the seven requirements which otherwise have to be met by other pupils applying for scholarships, i.e. Roma pupils have to be nationals of North Macedonia, regularly enrolled in a high school, and have achieved successful performance in education.

In the period between 2019 and 2023, more than 4,500 scholarships were awarded by the Ministry of Education and Science to Roma students in secondary education. Namely, 582 scholarships were awarded in the 2016/2017 school year; 736 scholarships were awarded in the 2017/2018 school year; 849 scholarships were awarded in the 2018/2019 school year; 846 scholarships were awarded in the 2019/2020 school year; 886 scholarships were awarded in the 2020/2021 school year;

870 scholarships were awarded in the 2021/2022 school year; 889 scholarships were awarded in the 2022/2023 school year; and 900 scholarships were awarded in the 2023/2024 school year.<sup>212</sup>

The scholarship programme for university-level Roma students was made possible through the 2016 amendments to the Law on Students' Standard<sup>213</sup>. This amendment was initiated by the 2015 Decision of the Government of the Republic of Macedonia (at the time) subsequent to which the Ministry of Education and Science, through its Directorate for the Development and Promotion of Languages of the Members of Communities, was obligated to begin awarding scholarships to Roma students with the objective to encourage people from the Roma community to enrol in faculties that produce teaching staff.<sup>214</sup> The Ministry of Education and Science awarded 108 scholarships in the 2020/2021 academic year, of which 68 for female Roma students and 40 for male Roma students; it awarded 112 scholarships in the 2021/2022 academic year, of which 72 for female Roma students and 40 for male Roma students; and it awarded 125 scholarships in the 2022/2023 academic year, of which 71 for female Roma students and 54 for male Roma students.<sup>215</sup>

There are active programmes targeting the primary school pupils in grades 1 through 4, as part

<sup>210</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Šabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>211</sup> Law amending and supplementing the Law on Pupils' Standard (The Official Gazette of the Republic of Macedonia No. 30/2016).

<sup>212</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Šabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

<sup>213</sup> Law amending and supplementing the Law on Students' Standard (The Official Gazette of the Republic of Macedonia No. 30/2016).

<sup>214</sup> <https://www.mts.gov.mk/content/pdf/2022/Strategija%20za%20inkluzija%20na%20Romite%202022-2030%2003-02-2022%20finalna%20verzija.pdf>.

<sup>215</sup> Interview with Arabela Iljaz, Senior Associate for Primary Education, Merita Mustafi, and Suzana Šabanovska, Coordinator of the Roma Educational Mediators Programme, held on 26.08.2024.

of the European Union Project REGULAR ATTENDANCE IN CLASSES – Action for the Inclusion of Roma in Primary Education. This project was implemented between October 2019 and October 2022 by the Open Society Foundation Macedonia, the Association Centre for Educational Support of Children “Dendo vas”, and the “Step by Step” Foundation for Education and Cultural Initiatives, in partnership with the Ministry of Education and Science.<sup>216</sup>

As part of this project, over a period of 3 years, 1,515 scholarships amounting to €400 were awarded during the school year so as to ensure financial support to pupils’ families and cover the costs of schooling, food, clothing, school supplies and materials, sports equipment and other equipment for extracurricular activities. Of the total number of 1,515 scholarships, 602 were awarded to first grade pupils, 634 to second grade pupils, and 279 to third grade pupils, which includes 777 female Roma pupils and 738 male Roma pupils, in 74 primary schools in 33 municipalities. In addition to providing financial support to socially disadvantaged families that have primary school pupils in grades 1 through 3, this project also provided 47 small grants to 47 primary schools in the amount of €2,500 to be used for training materials and equipment necessary for the schools to develop activities that promote equal opportunities for all pupils, with emphasis on lower grades, thus establishing a positive school climate and transforming the classroom or school space into an inclusive and stimulating learning environment, where every child feels accepted, motivated, and has the opportunity to develop their potential for learning and advancement.<sup>217</sup>

<sup>216</sup> <https://fosm.mk/current-project/broshura-i-vidia-za-promocija-na-rezultatite-od-proektot-redovno-na-chasovi-akcija-za-vkluchuvane-na-romite-vo-osnovnoto-obrazovanie/>

<sup>217</sup> Ibid.

In the past decade, other programmes and activities have also been implemented to increase the inclusiveness of the education system in relation to Roma children and to find ways and methods for their greater inclusion in order to reduce the high number of Roma children who were out of the education system at that time.

### **83) Encourage computer literacy among Roma and Sinti people by setting up information web-sites.**

In North Macedonia, there is no consistent system in place that provides digital literacy training to Roma people through educational institutions. However, given the need for digital literacy in the 21st century, a number of activities are aimed at ensuring the basic computer literacy of the Roma people in North Macedonia. These activities are primarily part of projects carried out by Roma civil society organisations who communicate directly with the Roma community and know what needs to be done in the Roma community.

Within the Adult Education Centre, there are various non-formal education programmes that have been developed, some of which provide computer literacy training and skills, however, with a specialised focus on a specific topic, e.g. digital marketing.

Unlike these programmes, the project “Romaveritas – with Development and Activism towards Equal Integration and Opportunities” supported by the Roma Education Fund from Budapest, computer trainings were delivered to 10 Roma students and alumni in the period between 2019 and 2020.

Moreover, it should be noted that there are digital literacy activities specifically targeting Roma women, as part of the “Programme for Strengthening the Employment Skills of Roma Women and Youth”, which was implemented by the Roma Resource Centre in 2022. This programme provided digital literacy training to 57 Roma women and girls.<sup>218</sup>

<sup>218</sup> <https://rrc.org.mk/digital-literacy-for-roma-women/>

#### **84) Periodically evaluate the effectiveness of educational policies.**

The evaluation of the effectiveness of the Roma-related educational policies in North Macedonia is rarely carried out and the way in which it is implemented is fragmented. In practice, analyses of educational policies are made by projects implemented in support of North Macedonia towards Roma inclusion.

These analyses, primarily by civil society organisations in North Macedonia, give a very clear picture of how educational policies among the Roma are implemented, and how future policies should be developed to ensure the constitutionally guaranteed right to education.<sup>219</sup>

### **Chapter VI of the Action Plan – Enhancing Participation in Public and Political Life**

#### **88) Participating States are encouraged to take into account the following basic conditions for ensuring effective participation by Roma and Sinti people in public and political life:**

- Early involvement: Any initiative relating to Roma and Sinti people should involve them at the earliest stages in the development, implementation and evaluation phases;**
- Inclusiveness: Roma and Sinti people should be included in formal consultative processes, and the effectiveness of mechanisms established for their participation in shaping major policy initiatives should be ensured by involving them in a broadly representative process;**
- Transparency: Programmes and proposals should be circulated sufficiently in advance of decision-making deadlines to allow**

**for meaningful analysis and input from representatives of Roma and Sinti communities;**

- Meaningful participation by Roma and Sinti people on all levels of government: Participation by Roma and Sinti people in local government is essential for the effective implementation of policies affecting them;**
- Ownership: Roma and Sinti people play an essential and irreplaceable role in ensuring that the right to participate in the political process is observed in practice.**

The political life of the Roma in North Macedonia is mainly reduced to their participation in elections as voters, be it parliamentary, presidential or local, despite the fact that the number of Roma political entities has increased drastically in the last decade and a half. There are currently 10 political parties: the Party for Democratic Prosperity of the Roma (PDPR), the Party for the Full Emancipation of the Roma (PCER), the Democratic Forces of the Roma (DSR), the Democratic Party of the Roma (DPR), the Roma United of Macedonia (ROM), the United Party for Roma Equality (OPER), the Union of Roma of Macedonia (SRM), the Central Democratic Union (CDU), the Union of Roma (UR) and AVAJA.

The emergence of several political parties is due to the disappointment of the Roma community in several political parties that existed at the beginning of the country's democratic journey. The only female president of a Roma political party is Fatima Osmanovska of the Union of Roma; she sees the reason for the rise of political parties in the Roma community in "the selfish behaviour of older Roma politicians and their failure to put the interests of the community above personal ambitions and egos".<sup>220</sup>

<sup>219</sup> <https://www.rcc.int/romaintegration2020/files/admin/docs/7d34b283f41adbd0c4e974b47cc4468f.pdf>

<sup>220</sup> <https://lokalno.mk/osmanovska-od-unija-na-romi-postoi-sebichnost-kaj-postarite-romski-politichari-i-nemozhnost-da-gi-trgnat-na-strana-lichnite-interesi-i-egoto-pred-interesite-na-celokupnata-romska-zaednica/>



This result means that Roma representatives will not be sufficiently involved in the policy-making processes of the legislature. On the other hand, the new Government which was elected in June 2024, has reinstated the position of Minister without Portfolio in charge of Roma issues, which was abolished in 2020. Since its reinstatement, this position has been administratively strengthened with human resources. The Minister without Portfolio's plan is to significantly increase the administrative capacities of his cabinet. Since this position has been reinstated, efforts have been made to add human resources to this cabinet and further expand it next year. Despite these staffing efforts, responsibilities under the Minister's portfolio require even greater administrative support from relevant institutions to efficiently implement the political agenda aimed at Roma inclusion in North Macedonia.<sup>223</sup>

221 <https://plusinfo.mk/na-malku-glasovi-za-pratenik-se-potrebn-i-vo-ie6-a-na-mnogu-vo-ie1-eve-kolku-chini-mesto-vo-sobranieto-spored-dontoviot-model/>

[illegible]

**223** Interview with Shaban Saliu, Minister without Portfolio, held on 29.08.2024.

The situation remains unchanged local self-government, due to the fact that the Roma Councillors in the Municipality of Shuto Orizari hold the majority, proportionate to the Roma population in this municipality. However, the number of counsellors representing the Roma in other municipalities isn't proportionate to the size of the Roma population.

With regard to transparency, there no clear regulation of the duration of public announcements for initiatives and proposals and the deadline by which these have to be submitted, thus leaving little time for the Roma community to thoroughly examine them. Typically, the deadline set in the announcements states “by tomorrow”; however, this varies between municipalities. Communication goes through representatives of the municipality or through representatives of the local offices of the relevant ministries or social work centres,

**224** <https://mls.gov.mk/mk/министерство/заменик-министер>

225 Ministry for Relations with Communities



where many of the Roma community members address their issues.<sup>226</sup>

**89) Elected officials should establish close working relations with Roma and Sinti communities.**

Basically, there are several ways in which the communication between the Roma community and elected officials is conducted. Firstly, through direct communication, for example, when the Mayor of Šuto Orizari holds meetings with citizens and representatives of certain groups living on the territory of the Municipality of Šuto Orizari.<sup>227</sup>

The second way is when elected officials establish communication with representatives of the Roma community through the local offices of the institutions where they work.

The most effective way is to communicate through civil society organisations that have the experience and knowledge of how to channel the messages and initiatives into policy discussions. It is particularly important here to emphasize the importance of the local civil society organisations, which are well aware of the needs and problems of the local population.<sup>228</sup>

**90) Establish mechanisms to ensure equal, direct and open communication between Roma and Sinti representatives and government authorities, including advisory and consultative bodies.**

<sup>226</sup> Interview with Aksel Ahmedovski, politician and former Minister without Portfolio in charge of Roma Issues in the Government of the Republic of North Macedonia, held on 31.07.2024.

<sup>227</sup> Interview with Mr. Kurto Duduš, Mayor of the Municipality of Šuto Orizari, held on 27.06.2024.

<sup>228</sup> Interview with Aksel Ahmedovski, politician and former Minister without Portfolio in charge of Roma Issues in the Government of the Republic of North Macedonia, held on 31.07.2024.

There are two formal mechanisms which ensure equal, direct and open communication between Roma representatives and state institutions. There is the political mechanism, in the form of the Minister without Portfolio in charge of Roma Issues. This position remains the only mechanism through which questions about the situation of the Roma in North Macedonia are raised at the highest political level, i.e. in the Government of North Macedonia.

The other mechanism that ensures expertise and institutionalism is the National Coordinating Body – NCB for the implementation of the Roma Inclusion Strategy 2022-2030. This is an inter-ministerial body which is responsible for monitoring the progress of the implementation of the Strategy, and consists of 15 members from all relevant institutions: the Ministry of Labour and Social Policy (now the Ministry of Social Policy, Demography and Youth), Ministry of Education and Science, Ministry of Health, Ministry of Finance, Ministry of Transport, Ministry of Culture and other bodies, as well as representatives of civil society organisations. The NCB monitors the implementation of the Strategy and develops reports. Until June 2024, the Advisor on Roma Issues summarised and subsequently presented these reports as a conclusion to the Prime Minister of North Macedonia, which was then forwarded to the Government for adoption.<sup>229</sup>

Between 2018 and 2024, another mechanism was established that served to support the process of Roma inclusion, but within the legislative branch. Namely, in 2018, within the Assembly of the Republic of Macedonia (at the time), an “Inter-Party Parliamentary Group for the Rights of the Roma in the Republic of Macedonia” was formed, which included MPs from the existing parliamentary com-

<sup>229</sup> Interview with Elvis Memeti, Advisor on Roma Issues to the Prime Minister of the Republic of North Macedonia, held on 31.07.2024.

position from different political parties, where the Roma community could both directly address and discuss legislative issues affecting the interests of the Roma community.

**91) Facilitate interaction between political leaders at the local and national levels and diverse Roma groups.**

The participation of Roma political entities is completely fragmented, thus making the interaction between political leaders both, on the national and local levels very difficult.

Roma citizens view the representatives of the political parties and non-governmental organisations in each town as their leaders, like for example in Bitola, where six leaders claim to represent the Roma community. A Roma lady from Bitola points out that the existing and pressing issues of the Roma community must be effectively managed, as stated in the study “Roma – a Qualitative and Quantitative Research”<sup>230</sup>.

On the one hand, three new Roma political parties have emerged in the last 4 years due to the lack of interaction: the Union of Roma, the People’s Party of Roma and AVAJA, which began as a movement and grew into a political party. AVAJA was the only Roma political party that was formed less than one month before the elections and participated independently at the parliamentary elections. On the other hand, the lack of interaction and consolidation<sup>231</sup> has aggravated the implementing of policies aimed at improving the situation of the Roma in North Macedonia.

<sup>230</sup> <https://electoralsupportprogramme.mk/wp-content/uploads/2021/09/9>.

<sup>231</sup> Compare with the Nezhdet Mustafa’s statement of March 2024 Nezhdet Mustafa: from one society for all, we made a binational state – Republika (republika.mk).

**92) Organize election-awareness campaigns so as to increase participation of the Roma electorate in elections.**

Information campaigns about the importance of the Roma vote in elections are primarily within the domain of civil society organisations and movements. Before transforming itself into a political party, the civic movement AVAJA carried out a number of activities as part of the campaign “We Vote, We Decide”. This campaign underlined the importance of the political vote of the Roma in the 2019 presidential elections, and it encouraged the Roma to exercise their right to vote.

During this campaign, the civic initiative AVAJA collected 10,322 signatures from 14 municipalities, calling for more serious efforts to improve the situation of the Roma.<sup>232</sup>

In the run-up to the parliamentary and presidential elections in North Macedonia, the Foundation “Roma for Democracy” organised events *to strengthen the voice of Roma with regard to political participation*. The event “What Is Good for the Roma Is Good for North Macedonia”, was launched as an initiative to address the political priorities and political challenges faced by the Roma community.<sup>233</sup> On the other hand, the Council of Europe implements the ROMACTED Programme in the Western Balkans, including in North Macedonia, called “Promoting Good Governance and Roma Empowerment at Local Level”.<sup>234</sup> This programme of the Council of Europe aims to empower the Roma community so as to enhance the local democrat-

<sup>232</sup> <https://novamakedonija.com.mk/makedonija/ромската-заедница-со-три-приоритетни/>.

<sup>233</sup> <https://trn.mk/dobro-za-romite-dobro-za-severna-makedoni%D1%98a/>

<sup>234</sup> <https://www.coe.int/mk/web/skopje/promoting-good-governance-and-roma-empowerment-at-local-level-romacted-ii-1>

ic good governance by building the individual and collective capacities of the Roma community.

The 2016 platform “MIRO VOTO – MIRO BARIPE”, consisting of Roma associations, monitored the electoral process so as to ensure the voting rights of the Roma. The NRC stressed the importance of voter autonomy and cooperation with the State Election Commission. The NRC seeks to achieve fair elections and encourages the reporting of irregularities. A total of 120 observers were registered, focusing on areas with significant Roma populations.<sup>235</sup>

These campaigns and activities significantly raised the awareness and capacities of the Roma community, making sure that people are aware of the importance of each individual vote and how this vote may affect the policies aimed at improving the situation of the Roma in North Macedonia.

### **93) Ensure that Roma voters can make free and informed choices in elections.**

The right to vote in the electoral process is guaranteed for all citizens of North Macedonia, including the Roma community. However, some allegations have been made public about political officials practicing coercive voting practices targeting the Roma. To improve electoral integrity and trust, it is essential to transparently address such allegations. Conducting thorough investigations into these allegations would demonstrate a commitment to preserving democratic principles and protecting the voting rights of all citizens<sup>236</sup> However, the allegations of coerced voting targeting the Roma community at the local elections in the Municipality of Strumica were not investigated.

<sup>235</sup> Compare with Observers from the National Roma Centrum will monitor the elections (a1on.mk); Media appearance of the “Miro Voto – Miro Baripe” platform on TV 21, NRC – National Roma Centrum (nationalromacentrum.org); PRESS RELEASE – National Roma Centrum (nationalromacentrum.org).

<sup>236</sup> <https://frontline.mk/2024/06/13/ankuloska-ne-odgovori-za-ciganite-za-ushi-chovechi-ata-nekoe-livche-neka-snema/>

At the last presidential election in 2024, in a statement on initial findings and conclusions, the OSCE ODIHR observers stated: “However, some instances of group and family voting were observed. While the secrecy of the vote was generally maintained, the observers from the International Election Observation Mission reported group or family voting in 2 per cent of the observations (17 cases)”. The observers further noted that “Incidents and irregularities, including campaigning and voter intimidation near polling stations, organised voter transportation, voter assistance, and family voting were observed much more frequently in areas where marginalised communities live”<sup>237</sup>.

Historically speaking, Roma people most often vote for the Roma political entities.<sup>238</sup>

The voting rights of Roma women is respected differently depending on the municipality. Namely, in some municipalities, such as Shuto Orizari, it has been observed that voters arrive at polling stations in groups; family voting however has not been noted. Unlike this municipality, in the Municipality of Delchevo, group arrivals at polling stations have not been observed.<sup>239</sup>

### **94) Take measures to guarantee the equal voting rights of women, such as banning so-called “family voting”.**

In 2021, the OSCE Mission to Skopje developed an Informative Brochure for Young Voters in Easy-to-Read Format as part of the project “Support to Democratic Governance and Inclusion Processes”, in cooperation with the State Election Commission

<sup>237</sup> <https://www.osce.org/files/f/documents/a/6/567274.pdf>.

<sup>238</sup> Interview with Shaban Salii, Minister without Portfolio, held on 29.08.2024.

<sup>239</sup> Interview with Aksel Ahmedovski, politician and former Minister without Portfolio in charge of Roma Issues in the Government of the Republic of North Macedonia, held on 31.07.2024.

Civil society organisations also organise activities to raise awareness about the political right to vote. Namely, to promote the democratic participation of the Roma in society, as well as fair and democratic elections and empower the Roma voters, in 2024 the “Roma for Democracy” Foundation submitted the “What Is Good for Roma Women Is Good for the Assembly of North Macedonia” initiative in 2024 to the Assembly of North Macedonia.<sup>241</sup> The aim of this initiative was to empower and involve Roma women in public and political life. A large number of Roma women performing professional duties in institutions and international organisations and projects took part in this initiative.

The number of Roma employed in the public administration is gradually increasing, given the number of Roma individuals employed in the public administration in 2007, which was 464 or 0.78%<sup>242</sup>, and compared to the 2023 figure, which is 1,651 or

However, a problem remains with the fact that, despite the drastic increase in numbers, the proportion of the Roma in the public service is not adequately reflected in the number of Roma people in leadership positions in the administration.

Roma community representation with regard to elected and appointed positions is at a very low level. While the Ombudsperson maintained statistics on elected and appointed individuals by ethnicity, the number of Roma officials ranged between 7 and 9.<sup>244</sup>

It is worth noting here that, following the 2024 parliamentary elections, Roma political parties are not represented by MPs in the Assembly of North Macedonia for the very first time.<sup>245</sup>

Since 1996, the elected Mayor of Shuto Orizari has been a person from the Roma community, as are the largest number of Councillors in the Municipality of Shuto Orizari. Unlike this municipality, in the Councils of other Municipalities, Roma votes are not valorised in the election of councillors. For example, in the Municipality of Bitola, which has a large Roma community, there is not a single Roma councillor in the Municipal Council.<sup>246</sup>

246 <https://www.bitola.gov.mk/советници/>.

**242** <https://ombudsman.mk/CMS/Upload/NarodenPravobranitelj/upload/Godisni%20izvestai/GI-2014/GI%202014.pdf>

Following the 2024 parliamentary elections, 3 Roma politicians have been appointed to the Government: Shaban Saliu – Minister without Portfolio, Nezhdet Mustafa – Deputy Minister for Relations with the Communities, and Erdzan Selim – Deputy Minister for Local Self-Government.

**97) Empower and integrate Roma and Sinti individuals into national and local decision-making processes as elected representatives of their communities and as citizens of their respective countries.**

The increased number of political entities in the Roma communities clearly indicates that there is a growing need for Roma participation in the decision-making process both on local and national level. If we take into account the age of the individuals who have joined the new political entities, it can be easily seen that these entities are founded by a younger generation of Roma, leading to the assumption that the young Roma people are not happy with the current policy of the political entities that have existed on the political scene in North Macedonia for an extended period of time.

A 2015 Romalitiko research<sup>247</sup> notes that “the implemented survey shows that a large share of Roma have voted during the local elections, which is indicative of the fact that Roma have the potential for participatory democracy and are still strongly confident in the democratic processes in the Republic of Macedonia. It should be noted that, if the surveyed local self-governments do not make efforts to include the Roma in the decision-making process, the discontent among the Roma will grow over time and thus the number of Roma who would contribute to participatory

democracy in the Republic of Macedonia will decrease”.

Moreover, this research points out that even though various forms of direct citizen participation are available in the country, they remain underutilized, and many Roma remain inactive. Efficient participation mechanisms include open days with the mayor, civic initiatives, citizens’ rallies, referendums, filing complaints, public forums, and polls. Despite these opportunities, Roma show limited interest in and understanding of the local self-government, mainly due to the lack of efforts by municipalities to integrate them into the decision-making processes. The analysis has noted that local authorities contribute to the low level of awareness among the Roma by failing to take continuous and systematic measures for their inclusion. This results in a lack of understanding of the local processes, lack of involvement and lack of information, ultimately leading to low levels of trust and dissatisfaction with the work of the local authorities. Addressing these problems is key to improving Roma participation and involvement in democratic processes.

The need for active participation is evident from the fact that socially engaged young Roma have also begun to actively participate in the political processes in North Macedonia, trying to improve the situation of the Roma. For example, the civic movement AVAJA grew into a political party just before the presidential and parliamentary elections in May 2024.<sup>248</sup>

Roma Information Centres are also a useful mechanism for informing Roma communities about social developments in all sectors. RICs work with citizens to address their concerns as well as the needs of the community.

<sup>247</sup> <https://romalitiko.org/wp-content/uploads/2024/02/uchestvoto-na-romite-vo-proczesot-na-donesuvane-odluki-na-lokalno-nivo.pdf>

<sup>248</sup> <https://novamakedonija.com.mk/makedonija/politika/avaja-nova-politichka-partija-na-romite/>



In the course of 2023, there were 8 Roma Information Centres in the municipalities where Roma communities live, namely in Gostivar, Delchevo, Negotino, Kichevo, Bitola, Shuto Orizari, Kochani and Vinica. By the end of 2023, a total of 4,151 services have been provided by the RICs, with a focus on social services in the area of social protection – 3,466 individuals; 188 individuals received health care services; housing – 68; education – 247; employment – 80; personal documentation – 86; anti-discrimination – 0; and other services – 16. The RICs have also continuously worked to inform the communities about published announcements for measures and programmes under the ESA Employment Operational Plan. By the end of December 2023, 4 Roma Information Centres (Gostivar, Negotino, Bitola and Shuto Orizari) remained operational. In the course of 2023, the transformation of the RICs in Kičevo and Delchevo into Social Work Centres was completed, with the informers receiving regular employment.<sup>249</sup>

**98) Promote Roma women's participation in public and political life; Roma women should be able to participate on an equal basis with men in consultative and other mechanisms designed to increase access to all areas of public and political life.**

Recently, the Roma community has become increasingly active, in the political sense. Namely, in 2023, there was a number of activities both in monitoring political campaigns and in raising public awareness of the Roma community about the importance of the political vote of every Roma individual. During the presidential and parliamentary elections, the “Roma for Democracy” Foun-

dation had deployed 162 observers<sup>250</sup> at the polling stations. In the meantime, to encourage the democratic participation of the Roma in society and promote fair and democratic elections, the “Roma for Democracy” Foundation put forward an initiative to the Assembly of North Macedonia called “What Is Good for Roma Women Is Good for the Assembly of North Macedonia”. The “Roma for Democracy” Foundation stressed the need for Roma women to participate on an equal footing in the democratic processes and elections in North Macedonia. The Foundation emphasised that, although more than three decades have passed since the introduction of the multi-party system and commitments have been made to include minority groups, the conditions for the inclusion of Roma women have not yet been created. This underutilisation of their potential has heightened the level of marginalisation, thus hindering the development of democratic governance”.<sup>251</sup>

This form of campaigning is required to increase the share of Roma women in political processes, which is essential for improving the status of Roma women in North Macedonia. The very position of Roma women is inactive, primarily due to the stereotypes that have been identified in numerous analyses and surveys in the past period. Namely, the 2015 research “Women in Politics: the Road to Political Functions and the Impact on the Local Level in Macedonia” by REACTOR – Research in Action, found that “It is a perpetuating practice for women Councillors to resign following their election, particularly those of Roma and Albanian ethnicity”.<sup>252</sup> However, the situation has changed over time, given that the 2020 parliamentary composition included a female Roma MP, and the

<sup>249</sup> [mtsp.gov.mk/content/word/25D0%25B1%25D0%25B0%25D1%2580%25D0%25B0%25D1%259A%25D0%25B0%25D0%25BF%25D1%2580%25D0%25B8%25D1%2581%25D1%2582%25D0%25B0%25D0%25BF%2F2024%2F14-571.docx](https://mtsp.gov.mk/content/word/25D0%25B1%25D0%25B0%25D1%2580%25D0%25B0%25D1%259A%25D0%25B0%25D0%25BF%25D1%2580%25D0%25B8%25D1%2581%25D1%2582%25D0%25B0%25D0%25BF%2F2024%2F14-571.docx)

<sup>250</sup> <https://www.facebook.com/romitezademokratija/>

<sup>251</sup> <https://www.romatimes.news/index.php/mk/ngo-sector/ngo-projects/6904-romite-za-demokratija-so-inicijativa-dobro-za-zhenite-romki-dobro-za-sobraniето-na-rsm>

<sup>252</sup> [https://reactor.org.mk/wp-content/uploads/2020/05/Жените-во-политиката\\_-MK.pdf](https://reactor.org.mk/wp-content/uploads/2020/05/Жените-во-политиката_-MK.pdf)



fact that for the first time in North Macedonia, a woman was made leader of a Roma political party, which is particularly encouraging for Roma women as well as for the entire Roma community.

## Chapter VII of the Action Plan – Roma and Sinti in Crisis and Post-Crisis Situations

**107) Consult Roma and Sinti citizens when defining crisis situations in order to facilitate adequate procedures and to identify the specific geographical areas where refugees and internally displaced persons originate from, as well as to ensure that the specific situation of Roma and Sinti people are addressed.**

The number of Roma from Kosovo enjoying international protection status in North Macedonia is currently less than 200 people. The Macedonian Young Lawyers Association (MYLA), as partners of the United Nations High Commissioner for Refugees – UNHCR Office in North Macedonia, has been operating since 2011 and has actively provided legal aid to individuals from Kosovo who had fled to the territory of the Republic of Macedonia (at the time) by representing their interests before the institutions and regulating their status.

Having identified the need for finding a permanent solution for the status of these individuals from Kosovo, who are under international protection or who used to enjoy international protection, MYLA proposed amendments to the Law on Foreigners in 2023, in cooperation with the Inter-Party Parliamentary Group for the Rights of the Roma and the Legislative Committee of the Assembly of North Macedonia. These amendments were introduced with the Law amending and supplementing the Law on Foreigners adopted by the end of

2023<sup>253</sup> (The Official Gazette of North Macedonia No. 282/23), which provides for the possibility for the remaining individuals under international protection to obtain a permanent residence permit, who had fled from Kosovo after the 1999 crisis.

Through this simplified procedure, the Asylum Department of the Ministry of Internal Affairs issues an international protection certificate, followed by a security check of the individuals applying for a permanent residence permit. Moreover, individuals who wish to obtain a permanent residence permit, should not spend more than 6 months outside the territory of North Macedonia. The applications are submitted by the Macedonian Young Lawyers Association, as part of the projects “Advocacy for Legal Aid, Finding Solutions and Representation of Persons Who Are of Interest to UNHCR” and “Advocacy and Assistance To End Statelessness”, supported by UNHCR.

**108) Ensure that the Roma and Sinti populations, who are in forced displacement (refugees and IDPs), are duly registered and provided with the relevant documents.**

Most of the individuals from Kosovo have applied for temporary residence on humanitarian grounds, in accordance with the Law on Foreigners. Some of them have regulated their status on the grounds of marriage and origin.<sup>254</sup>

The 2023 European Commission’s Progress Report on North Macedonia notes that “There are 235 Roma, Ashkali and Egyptian individuals from Kosovo in the country, including 11 with refugee status, 64 under subsidiary protection, and 160 whose protection status has ended. These individuals re-

<sup>253</sup> Law amending and supplementing the Law on Foreigners (The Official Gazette of the Republic of North Macedonia No. 282/23).

<sup>254</sup> Macedonian Young Lawyers Association, 01.08.2024.

main in a vulnerable situation due to the lack of legal status and insufficient access to basic rights. In 2022, a total of nine persons were assisted with voluntary returns to their countries of origin within the assisted voluntary return and reintegration programme".<sup>255</sup>

Due to an anomaly in the system, the termination of international protection has resulted in an unresolved status of these individuals in North Macedonia, even after 25 years. Except in the case of subsidiary protection or temporary protection, the state has allowed these individuals to apply for temporary residence; but despite this temporary solution, there are additional 172 individuals with unresolved status in North Macedonia because their international protection has expired. Of these 172 individuals, 130 have already applied for permanent residence, whereas 42 individuals are expected to apply either for permanent residence or for citizenship.<sup>256</sup>

In practice, these individuals are not at risk because they are tolerated by the police and the Ministry of Internal Affairs, the Foreigners Department, and the Asylum Department, i.e. there is no such practice as refoulement.

Between 2012 and 2018, the individuals whose international protection had expired, were issued yellow cards by the Asylum Department, allowing their stay on the territory of the Republic of Macedonia (at the time) to be accepted. This practice was discontinued in 2018 when the Asylum Department stopped issuing and extending the validity of so-called yellow cards.

<sup>255</sup> <https://www.mep.gov.mk/post/?id=5657>

<sup>256</sup> Interview with Vildan Drpljanin, UNHCR, held on 23.07.2024.

**109) The participating States should ensure that programmes are in place to promote informed choice regarding the decision of Roma and Sinti refugees and IDPs concerning durable solutions to their situations, including the exercise of their right to safe, decent and sustainable return. Such programmes should provide concrete information regarding each subject of concern to refugees and IDPs and should be made available in the relevant languages.**

Individuals from Kosovo who have enjoyed international protection in the past period have been allowed to permanently resolve their status through various programmes, both in Kosovo and in Serbia. These individuals were only referred to obtain documents from their home countries, some in Kosovo and others in Serbia.

Roma people who had reintegrated into Kosovo or Serbia had the opportunity, through various programmes, to receive funds or other means to build a house, which solved their housing problem when they returned to their home country.

With regard to newborns born in North Macedonia, the issue of their status remained unresolved due to the fact that the Office for the Management of Civil Registers refused to register the newborn unless the mothers could provide a single status certificate issued from their home countries, Kosovo or Serbia, even when the father was a national of North Macedonia. Furthermore, in cases when the mother's international protection had expired and she possessed no other documents, the newborn child could not be registered in the Civil Registers.

**110) Ensure that Roma and Sinti refugees are treated in accordance with the relevant international norms and standards of protection, and in a non-discriminatory manner.**

There are no specific cases of discrimination in North Macedonia against individuals who enjoy refugee status or are under international protection. According to the practice referred to in Point 108, there is a higher level of tolerance for persons who had enjoyed international protection but it had since expired, particularly with regard to their freedom of movement and residence, i.e. when requested by police officers to provide identity documents. However, such tolerance is not extended to the use of social, health or educational services by the competent institutions in North Macedonia.

**111) Make use of the ODIHR's role in conflict prevention and identification of areas of early intervention, and draw on the expertise of the OSCE HCNM in this regard.**

In North Macedonia, there are no risks of conflict regarding the Roma who fled Kosovo to North Macedonia in 1999. The Government of North Macedonia has been working with varying intensity over a period of 25 years to find lasting solutions for the status of these persons. There are currently fewer than 200 people in North Macedonia who had fled the 1999 conflict, which is almost 10 times less than the initial influx of people in 1999. The reduced number of these individuals is primarily due to measures of voluntary reintegration in Kosovo and in Serbia, but also the possibility of naturalisation in North Macedonia. The Government, together with UNHCR and civil society organisations, primarily the Macedonian Young Lawyers Association, its partner since 2011, has taken active measures to permanently resolve the status of these individuals. Namely, as mentioned in Point 107, the Law amending and supplementing the Law on

Foreigners allowed for permanent solutions to be found for the status of individuals from Kosovo by obtaining a permanent residence permit, which is one of the steps towards acquiring the citizenship of North Macedonia.

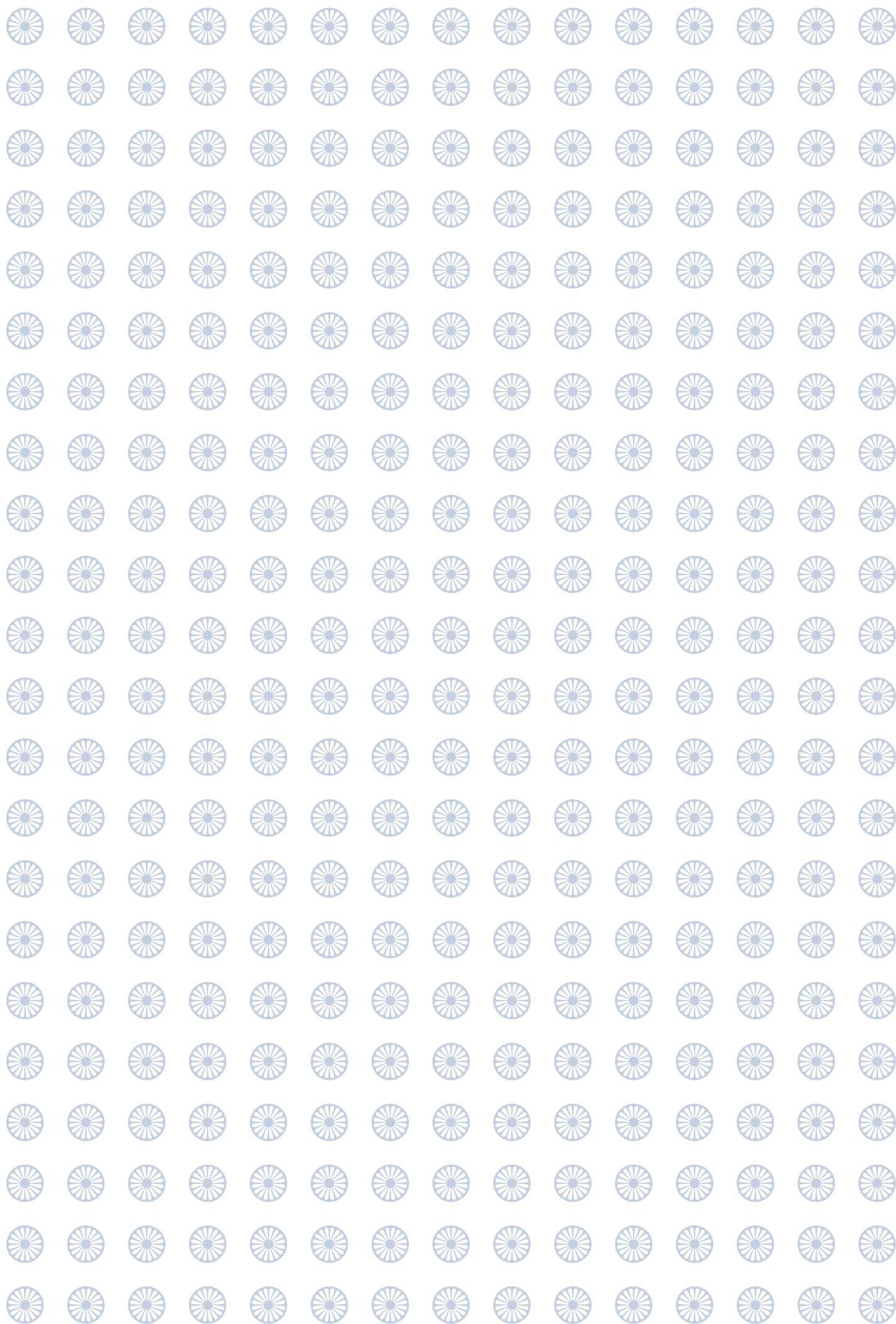
**112) Focus particularly on the needs of Roma and Sinti women and children in crisis and postcrisis situations, particularly by providing them with access to health care, housing and schooling.**

Individuals enjoying international protection in North Macedonia are entitled to all health services, as well as the right to housing and education in all educational facilities. With regard to housing, arrangements have been funded by UNHCR over an extended period of time. With regard to education, there is an opportunity for the children of parents displaced due to the Kosovo crisis to become part of the educational process in North Macedonia. Regular enrolment in schools was not problematic for Kosovo refugees who have acquired basic literacy in the Macedonian language, and most of the children were born in the Republic of Macedonia (at the time). Incentives and support measures for Kosovo refugees were provided through donor-funded project activities combined with scholarships and mentoring support.<sup>257</sup>

However, in cases when an individual's international protection has expired, the ability to use the services and enjoy the fundamental rights to housing and education automatically ceases. Yet it depends on the municipality whether these children, too, will be granted the right to education despite having no status in North Macedonia.<sup>258</sup>

<sup>257</sup> <https://myla.org.mk/wp-content/uploads/pdf/UNICEF-Obrazovanie-na-deca-begalci-MKD-FINAL-digital.pdf>

<sup>258</sup> Macedonian Young Lawyers Association, 01.08.2024.



# CONCLUSIONS AND RECOM- MENDATIONS

## CONCLUSIONS

Based on the activities outlined in the report, North Macedonia is actively working to improve the situation of the Roma from societal, economic, social and cultural aspects.

Considering the reporting period, it can easily be concluded that the greatest progress has been made in education. This progress is primarily due to the strong and long-term cooperation of the Government through the Ministry of Education and Science with the Roma Education Fund, through which financial resources were initially provided to Roma pupils and students, after which the Government fully took over this commitment, which it has consistently fulfilled with steady growth. However, this progress and success is at the risk of being overshadowed by the fact that Roma pupils in North Macedonia do not have the opportunity to learn in their first language in the same way as their peers from other non-majority communities.

Similarly, the existing segregation of Roma pupils in Bitola, Shtip, Prilep and Kochani is also a serious problem, as the state has not yet taken either general or specific measures in compliance with the obligations imposed with the judgement in *Elmazova and others v. North Macedonia*.

The strategic documents for Roma inclusion provide for measures that apply only to the Roma, and not to the rest of the population in North Macedonia. There is an obvious lack of inclusive approach on the part of the remaining population of North Macedonia which should lead to a wider social cohesion in neighbouring places populated by non-Roma populations. As a result of the absence of an inclusive approach, there is a commonplace segregation of Roma pupils in primary education in Bitola, Shtip, Prilep and Kochani.

There is a lack of mobilisation of relevant mechanisms for the protection of street children and their inclusion in preschool and primary education, as well as the mandatory involvement of their parents in formal activities for literacy and employability skills.

After several decades, North Macedonia has established a legal arrangement for the permanent resolution of the civil status of Roma who are not registered in the Civil Registers of North Macedonia. This process was expected to take place earlier



than it actually did, which was in 2020, subsequent to the adoption of the Law on Unregistered Persons in the Birth Register. Next, the Law amending and supplementing the Law on Citizenship of North Macedonia, the Law amending and supplementing the Law on Civil Registration Records, and the Law amending and supplementing the Law on Foreigners were adopted as a form of systemic solution. With these legislative amendments, the state allowed the unregistered persons or the undocumented persons to acquire citizenship or legal residence in North Macedonia, also regulating the legal status of persons who had arrived from Kosovo in 1999 during the conflict there. However, despite the political commitment of the Committee on the Political System and Inter-Ethnic Relations and the Inter-Party Parliamentary Group for the Rights of the Roma in the 2020-2024 parliamentary composition, which was translated into a functional systemic solution, it is yet to be finalised due to the difficult process of providing identity documents to persons registered in the Birth Register under these laws. Despite the slow process of obtaining personal documents, the question remains open as to the future of the people who have been registered under the Law on Unregistered Persons in the Birth Register, because their registration has not been entered in the Birth Register.

However, here too there is no strategic approach that will finally resolve this issue, because the Law on Unregistered Persons in the Birth Register provides for registration outside the regular entry in the Civil Registers, hence the risk for this different treatment and status to be legitimised and constitute a ground for inequality.

Combatting stereotypes and prejudice against the Roma in all areas of the socio-economic life in North Macedonia has been visibly hindered by the forms of segregation of the Roma people in North Macedonia. Setting up new institutions and strengthening the capacities of the existing ones that are responsible for and which take actions

towards Roma inclusion and integration, and also towards prevention and protection against discrimination and segregation, as well as racial profiling, is one of the things which are in constant progress in North Macedonia. This progress is based on three pillars. The first one is the political commitment of policymakers to initiate a process to combat discrimination and promote equality and multiculturalism. The second pillar is the legal framework that has been adopted in order to establish a legal basis for greater inclusion and integration of the Roma and greater prevention and protection against discrimination, segregation and racial profiling. The third pillar is the creation of conditions for the formation of new institutions and for providing institutional support to existing institutions that are directly involved in the processes of improving the situation of Roma in North Macedonia.

The level of progress is still low due to the fact that, despite the political commitment to Roma inclusion and integration, the state does not provide the necessary institutional, material and financial capacities as evidenced by the annual budgets for the implementation of the Roma Decade, the Strategy 2014-2020, as well as the current Strategy 2022-2030.

Poverty reduction among Roma is an evolving process. Within this process, the competent institutions are taking active measures for the professional education of the Roma and increasing the participation of the Roma on the labour market in North Macedonia.

The Government of North Macedonia is taking active measures to increase employment among Roma as evidenced by the activities carried out through the Employment Service Agency of North Macedonia. However, if one considers the labour force representation on the labour market i.e. the Roma employed versus the representation of other communities, three essential differences



are easily discernible. The first difference is the inconsistency between the numbers of Roma in the total population of North Macedonia with the rate of employed Roma versus the rate of the total employed population. The second difference is in the degree and complexity of the jobs taken up by the Roma and the degree and complexity of the jobs taken up by other citizens who are part of the labour market. The third difference is the representation of Roma employees and their positions in the public service and the state administration versus the representation and positions in the public service and state administration of other communities.

The difference between the participation rate both on the labour market and in the public service of Roma and members of other communities is evident. However, things are changing with a positive trend due to both, the high rate of migration of citizens as a labour force in the countries of the European Union and overseas countries, as well as the improvement of the education status in the Roma community, and the interest in further education and professional development through the active measures of the Employment Service Agency of North Macedonia.

Health care and insurance of the Roma in North Macedonia is the most difficult segment in terms of improving the situation of the Roma because the healthcare system itself is not fully inclusive with regard to providing health services and health insurance to the Roma in North Macedonia. It is evident from the Report itself that there is a serious shortage of health facilities and health workers, doctors and medical staff in some of the municipalities where Roma communities live.

When it comes to health care and treatment of drug addiction in children, no sustainable system has been put in place which would include professionals from the competent state institutions (the police, social work centres, health institutions etc.)

to work with child addicts, except for the civil society organisations operating in this field.

In Roma communities, there is a shortage of primary health care physicians, paediatricians and gynaecologists, i.e. lack of primary health care, which is a serious problem in terms of the general health status of the Roma population in North Macedonia. Moreover, there is a lack of awareness among the Roma community about the health services provided by the public health system, which is why campaigns are organised by civil society organisations and the Ministry of Health to raise the public awareness about health care services available for individuals and for the community as a whole. Despite the Government constantly undertaking activities through the Ministry of Health, there is still no continuous development in the area of health care for the Roma community.

Roma representation in the public service broadcaster and support for the development of Roma culture in North Macedonia stands at a low level due to the recent decrease in media outlets that broadcast programmes in Romani language or targeting the Roma community. Currently, there is only one television station and one radio station, unlike in the past, when several Roma media outlets broadcast over the public airwaves. In terms of the development of Roma culture, there is no adequate support as there is for other communities.

The Ministry of Culture has failed to provide for special activities and measures to support Roma culture and traditions within its budget earmarked for cultural support in North Macedonia. The Roma, as an ethnic affiliation, have no institution for the preservation, promotion and development of the culture of the Roma people in North Macedonia.

Roma participation in the socio-political life in

North Macedonia is disproportionate compared to the participation of other ethnic communities in North Macedonia. Since 1991, Roma have been actively participating in the political life through political representatives in the Assembly of North Macedonia, and later, by taking part in the Government through the political position of the Minister without Portfolio in charge of the Roma Decade in 2014, and then in charge of the Strategic Inclusion of Roma. For the very first time, Roma people have no representatives in the 2024 Assembly of North Macedonia, as the legislative branch; however, for the first time, too, they have 3 Deputy Ministers in the Government that was formed in June 2024. When it comes to the judiciary and the judicial bodies, Roma are not adequately represented at all since there is only one Roma judge in the judiciary system of North Macedonia, and there is not a single Roma public prosecutor.

Roma participation in the development and implementation of national policies is also a weak link in the improvement of the situation of the Roma community in North Macedonia, due to the very small number of leadership functions performed by Roma in the executive branch. Moreover, the political representation of Roma is fragmented on account of the fact that in 2024, there are 11 political parties in 2024, which does not benefit the Roma community considering that the parliamentary elections outcome relies on the D'Hondt method. This fragmentation resulted in the fact that, following the parliamentary elections in June 2024, the Roma community represented through several political parties was left for the first time without a representative in the Assembly of North Macedonia.

## RECOMMENDATIONS

### System-level Recommendations:

1. Enhancing data collection and monitoring:
  - ▶ Establish a consistent reporting system regarding the Roma community across all municipalities in North Macedonia. This includes monitoring the progress, regression, or stagnation, using data from the 2021 census to develop targeted policies.
  - ▶ Establish a system of information regarding the implementation of the Roma inclusion strategic documents, both on the national and the local level.
  - ▶ Create a database to monitor discrimination incidents and develop regular reporting mechanisms to prevent and address such issues.
2. Combating discrimination and racism:
  - ▶ Ensure consistent enforcement of anti-discrimination laws across all sectors of society. Ensure the functionality and effectiveness of the Commission for Prevention and Protection against Discrimination by providing the necessary technical, financial and human resources.
  - ▶ Conduct public campaigns to raise awareness about Roma rights and on combating discrimination, targeting both the Roma population and the society in general.
  - ▶ Revise the primary schools' catchment areas so as to prevent any kind of segregation.
3. Socio-economic inclusion:
  - ▶ Adopt the Law on Social Housing to improve access to housing for socially vulnerable groups, particularly the Roma community, in response to the rising housing prices.

- ▶ Strategic approach to identifying the informal Roma settlements and to determine the number of homeless persons in order to permanently address the housing issue for these people.
- ▶ Increase employment opportunities for the Roma people through active employment measures, such as affirmative actions in public services, job training, and designing special employment programmes for Roma women.

#### 4. Health care and social services:

- ▶ Provide basic and specialist health services in Roma communities based on equal access to health care.
- ▶ Address health issues, such as lack of treatment for Roma children suffering from substance addiction.
- ▶ Ensure consistent access to primary health care for Roma children, women and the elderly by increasing the number of health mediators in Roma communities. Collaborate with local health centres and international institutions to monitor and register vaccinations.

#### 5. Education:

- ▶ Maintain scholarship programmes for Roma students in secondary schools and universities, adapting them to the increased cost of living.
- ▶ Expand scholarship programmes for Roma pupils in primary education grades 6-9 as a measure to prevent withdrawing from schools.
- ▶ Increase the enrolment of Roma children in preschool facilities and introduce the study of Romani Language and Culture in preschool education to improve cultural integration.
- ▶ Open a Romani Language Department at the "St. Kliment Ohridski" Faculty of Education in

Skopje so as to train professionals for preschool and school education.

#### 6. Crisis and post-crisis situations:

- ▶ Develop permanent solutions regarding the legal status of Roma refugees from Kosovo living in North Macedonia.

### **Public Policy level Recommendations:**

#### 1. Roma Inclusion Strategy 2022-2030:

- ▶ The National Coordinating Body should monitor and coordinate the activities and measures from the Roma Inclusion Strategy. This includes the preparation and public disclosure of implementation reports on a quarterly, biannual and annual basis, as well as adequate and transparent budgeting for these measures.

#### 2. Anti-discrimination framework:

- ▶ Establish stronger anti-discrimination policies on national level to ensure consistent implementation and enforcement. Institutions should be obliged to follow the recommendations of the Commission for Protection against Discrimination.
- ▶ Strengthen the legal framework pertaining to free legal aid, making it more accessible to vulnerable groups, particularly the Roma.

#### 3. Education and multiculturalism:

- ▶ Ensure consistent enforcement of the multicultural education policy in schools across North Macedonia. Enhance teacher training to identify and prevent discrimination and segregation, and promote intercultural understanding.

#### 4. Elections:

- ▶ Promote education programmes on voting for the Roma community, focused on the long-term benefits of fair elections and political involvement for their community.
- ▶ Prevent potential abuse of electoral rights (group or family voting) in smaller ethnic communities.
- ▶ Constant information about electoral rights by political parties in municipalities and areas where Roma communities reside.

Regular communication with local authorities in Roma-populated municipalities is crucial.

#### 4. Ministry of Health:

- ▶ The Ministry of Health, with the help of mediators, should improve the availability of health services for the Roma community, especially in identifying and vaccinating Roma children. A systemic solution should be worked out for the treatment of Roma children with drug and glue addictions.

### **Institutional-level Recommendations:**

#### 1. Assembly of North Macedonia:

- ▶ Set up an inter-party working group to monitor the Roma inclusion status in North Macedonia.

#### 2. Ministry of Social Policy, Demography and Youth:

- ▶ The Ministry of Social Policy, Demography and Youth should lead the efforts for developing standardised reports on Roma-related initiatives and ensure that all documentation is maintained in electronic form. The Ministry should ensure the timely submission of quarterly reports concerning Roma issues to the Cabinet of the Minister without Portfolio.
- ▶ Set up and head a working group for inter-disciplinarily work with street children and their parents with the intention of providing full protection to children at risk.

#### 3. National Coordinating Body (NCB):

- ▶ The NCB should continue coordinating Roma-related activities on both local and central levels, strengthening the inter-ministerial cooperation to address persistent problems that require inter-institutional arrangements.

#### 5. Ministry of Education and Science:

- ▶ The Ministry of Education should engage with the Roma community to ensure the completion of primary and secondary education through scholarship programmes, cultural integration initiatives, and employment of Roma educators.
- ▶ Illiteracy among adults and young adults should be curbed.
- ▶ A dedicated Romani Language and Culture Department should be established at one of the philological faculties in North Macedonia.

#### 6. Ministry of the Internal Affairs; Ministry of Social Policy, Demography and Youth; Office for the Management of Civil Registers; Ministry of Justice:

- ▶ Ensure effective implementation of the Law on Civil Registration Records for unregistered persons and the amendments to the Law on Citizenship, in particular to prevent future cases of statelessness in the Roma community.

#### 7. Civil society organisations:

- ▶ Encourage greater involvement of Roma civil society organisations in policy consultation processes and their participation in monitoring Roma-related initiatives.
- ▶ Promote synergies with political parties to better represent the needs of the community and participate in decision-making.



