

Macedonia

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Macedonia are unavailable.²⁸¹⁴ Children work in the informal sector, on family farms (though usually not during school hours) and in illegal small businesses.²⁸¹⁵ They also beg on the streets and sell cigarettes and other small items in markets, on the streets, and in bars or restaurants, including at night.²⁸¹⁶ It is believed that these children are predominantly of the minority Roma ethnic group.²⁸¹⁷ Child labor is one of many problems associated with poverty. In 2003, the most recent year for which data are available, less than 2.0 percent of the population in Macedonia were living on less than USD 1 a day.²⁸¹⁸ Macedonia is primarily a transit and destination country for trafficking.²⁸¹⁹ Girls are involved in commercial sexual exploitation and trafficked for the purposes of forced prostitution, particularly in tourist areas.²⁸²⁰ Children trafficked to Macedonia for commercial sexual exploitation come from the former Soviet Union and Eastern and Southeastern Europe, particularly Albania, Bulgaria, Moldova, and Romania.²⁸²¹ Macedonia is also a country of origin for small numbers of trafficked persons.²⁸²² The government provides no official data on internal trafficking due to a reluctance to acknowledge that the problem exists; however, reports of its occurrence have increased and suggest that Roma children are particularly vulnerable.²⁸²³

The Constitution mandates free and compulsory primary education and all children are guaranteed equal access, although students pay for books and other materials.²⁸²⁴ Education is mandatory through grade 8

²⁸¹⁴ This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section.

²⁸¹⁵ U.S. Embassy- Skopje, *reporting*, August 26, 2005. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Macedonia*, Washington, DC, February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/index.htm>.

²⁸¹⁶ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 6d.

²⁸¹⁷ U.S. Embassy- Skopje, *reporting*. See also U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸¹⁸ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, DC, 2005.

²⁸¹⁹ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report- 2005: Macedonia*, Washington, DC, June 2005, 146; available from <http://www.state.gov/documents/organization/47255.pdf>.

²⁸²⁰ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸²¹ U.S. Department of State, *Trafficking in Persons Report- 2005*, 146. See also The Protection Project, *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children*, Washington, DC, 2005; available from <http://www.protectionproject.org/pub.htm>.

²⁸²² U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸²³ Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe 2004 - Focus on Prevention in: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The former Yugoslav Republic of Macedonia, Moldova, Romania, Serbia and Montenegro, the UN Administered Province of Kosovo*, UNDP, New York, March 2005, 110-111; available from <http://www.unicef.org/ceecis/Trafficking.Report.2005.pdf>. See also U.S. Department of State, *Trafficking in Persons Report- 2005*, 146. See also U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸²⁴ *Constitution of Macedonia*, 1991, (November 17, 1991), Article 44; available from http://www.oefre.unibe.ch/law/icl/mk00000_.html. See also U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

or through the age of 16.²⁸²⁵ In 2002, the gross primary enrollment rate was 97 percent and the net primary enrollment rate was 91 percent.²⁸²⁶ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Primary school attendance statistics are not available for Macedonia.²⁸²⁷ School attendance and completion rates appear to be lower among ethnic minorities such as the Albanian and Roma communities.²⁸²⁸

Child Labor Laws and Enforcement

The Constitution and the Labor Relations Act set the minimum age for employment at 15. The Constitution prohibits the employment of minors in work that is “detrimental to their health or morality.”²⁸²⁹ The Labor Relations Act further prohibits children under the age of 18 from performing underground work in mines, working overtime, working at night between 10 p.m. and 6 a.m., or performing work that involves “strenuous physical labor, underground or underwater work or other jobs, which may be harmful or threatening to their health and life.”²⁸³⁰ The law allows children 14 years of age to work if it is part of an official education program such as an apprenticeship or vocational training program.²⁸³¹ Employers who illegally employ minors face a potential fine of 50 to 100 times the national average monthly salary.²⁸³² The Defense Law prohibits individuals under the age of 18 from serving in the armed forces.²⁸³³

The worst forms of child labor may be prosecuted under different statutes in Macedonia. The Criminal Code prohibits child trafficking and punishes those convicted of such an offence with at least 8 years in prison. Individuals who knowingly engage in sexual relations with a trafficked child are also subject to 8 years in prison.²⁸³⁴ The Constitution prohibits forced labor.²⁸³⁵ The Criminal Code prohibits the procurement of juveniles for sexual acts.²⁸³⁶

The Ministry of Labor and Social Welfare is responsible for enforcing laws regulating the employment of children, and is also responsible for providing services to children who are victims of child labor through the Centers for Social Care.²⁸³⁷ Ministry of Labor and Social Welfare inspectors are responsible for investigating child labor violations.²⁸³⁸ The Government also established an Ombudsman’s Office responsible for protecting citizens from violations of their constitutional and legal rights by administrative

²⁸²⁵ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸²⁶ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed October 2005).

²⁸²⁷ This statistic is not available from the data sources that are used in this report. Please see the “Data Sources and Definitions” section for information about sources used.

²⁸²⁸ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸²⁹ *Labor Relations Act: Macedonia*, (December 27, 1993), Section 7; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47727/65084/E93MKD02.htm>. See also *Constitution of Macedonia, 1991*, Article 42, *Labor Relations Act: Macedonia, 1993*, Sections 63, 66 and 67.

²⁸³⁰ *Labor Relations Act: Macedonia, 1993*, Sections 7, 63, 66, and 67.

²⁸³¹ U.S. Embassy- Skopje, *reporting*.

²⁸³² *Ibid.*

²⁸³³ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004: Macedonia*, London, 2004, 255; available from <http://www.child-soldiers.org/regions/country.html?id=126>.

²⁸³⁴ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5.

²⁸³⁵ *Constitution of Macedonia, 1991*, Article 11.

²⁸³⁶ Protection Project, *2005 Human Rights Report on Trafficking in Persons*.

²⁸³⁷ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 6d. See also U.S. Department of State official, email communication to USDOL official, August 14, 2006.

²⁸³⁸ U.S. Embassy- Skopje, *reporting*.

and other government bodies, which includes a Department for Protection of Children’s Rights.²⁸³⁹ The Ombudsman’s office has not received a child labor related case since its establishment.²⁸⁴⁰

While a legal framework is in place, there has been little practical implementation of child labor laws and policies.²⁸⁴¹ As of August, the government had not levied any penalties for child labor violations in 2005.²⁸⁴²

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

The Government of Macedonia is developing a National Action Plan of Child Rights, which will include victims of the worst of forms of child labor as a target group, and a National Plan of Action for the Fight against Trafficking of Children.²⁸⁴³ The Ministry of the Interior is responsible for developing the plan of action against child trafficking and established a group to combat this particular problem.²⁸⁴⁴ In cooperation with the government, UNICEF is developing public awareness raising campaigns on street children and child trafficking.²⁸⁴⁵

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	11/17/1991	✓
Ratified Convention 182	5/30/2002	✓
ILO-IPEC Member		
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan (Trafficking)		

The Government of Macedonia is also implementing a number of programs aimed at improving the general welfare and education of children. The Ministry of Labor and Social Welfare, through the National Centers for Social Care, runs a center for street children in Skopje. The center is government funded, and has also received support from UNICEF and local private companies. Since it opened in December 2004, 286 children between the ages of 4 and 14 have received assistance from the center. Approximately 85 percent of the children are from the Roma community. This center serves approximately 60 children daily and is staffed by social workers, psychologists, and teachers.²⁸⁴⁶ The government also operates the “Project for Children on the Streets,” which organized shelters for abandoned children and is intended to prevent children from working.²⁸⁴⁷ The government also runs a transition center for women and children involved in prostitution, and a center for women and children who are victims of family violence²⁸⁴⁸

Programs to improve children’s education include a USD 3.2 million USAID project to improve teaching methods and curriculum, a USD 10 million USAID project to provide information technology access and training to all primary and secondary schools, and a USD 3 million program funded by a number of international organizations to improve school attendance and performance of Roma children.²⁸⁴⁹ The

²⁸³⁹ UNICEF FYR Macedonia, *Ombudsperson for Children*, UNICEF, [online] 2004 [cited May 12, 2004]; available from http://www.unicef.org/macedonia/protection/protection_rights_content.htm.

²⁸⁴⁰ U.S. Department of State official, email communication to USDOL official, August 14, 2006.

²⁸⁴¹ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 6d.

²⁸⁴² U.S. Embassy- Skopje, *reporting*.

²⁸⁴³ *Ibid.*

²⁸⁴⁴ Protection Project, *2005 Human Rights Report on Trafficking in Persons*.

²⁸⁴⁵ U.S. Department of State official, email communication to USDOL official, August 14, 2006.

²⁸⁴⁶ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5. See also U.S. Department of State official, email communication to USDOL official, August 14, 2006.

²⁸⁴⁷ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 6d.

²⁸⁴⁸ U.S. Department of State, *Country Reports- 2004: Macedonia*, Section 5. See also U.S. Department of State official, email communication to USDOL official, August 14, 2006.

²⁸⁴⁹ U.S. Embassy- Skopje, *reporting*. See also U.S. Department of State official, email communication to USDOL official, August 14, 2006.

World Bank is funding the Community Development Project, which includes a component to rehabilitate school heating systems and provide school furniture.²⁸⁵⁰ It also funded the \$5 million Education Modernization project to strengthen school-level planning and management and build the capacity of central and local governments to operate a decentralized education system.²⁸⁵¹ In addition, the OSCE is training public school teachers on how to educate students about children's human rights.²⁸⁵²

²⁸⁵⁰ The project ended in December 2005. World Bank, *Community Development Project*, World Bank, [online] July 7, 2005 [cited July 7, 2005]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P076712>.

²⁸⁵¹ The project is scheduled to close in September 2009. World Bank, *Education Modernization*, July 7, 2005 2004 [cited July 7, 2005]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P066157>. See also U.S. Department of State official, email communication to USDOL official, August 14, 2006.

²⁸⁵² OSCE Spillover Monitor Mission to Skopje press release, "OSCE Skopje Mission promotes human rights education for children," June 30, 2005 [cited July 8, 2005]; available at http://www.osce.org/skopje/item_1_15471.html.