U.S. DEPARTMENT of STATE

Macedonia

Country Reports on Human Rights Practices - 2007
Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

The Republic of Macedonia is a parliamentary democracy with a population of approximately 2.1 million. The president, who is popularly elected, is head of state and commander in chief of the armed forces. A unicameral parliament (Sobranie) exercises legislative authority. Parliamentary elections in July 2006 generally met international standards, although the preelection campaign and election day procedures were marred by irregularities and isolated instances of violence. Prime Minister Nikola Gruevski, who headed a multiethnic governing coalition, was confirmed in office in August 2006. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens; however, there were problems in some areas. Police abuse of suspects continued to be a problem, and there were allegations of police harassment of ethnic minorities; however, authorities took measures to strengthen oversight of police. Corruption in the interior and justice ministries, and political pressure exerted on them, the courts, and the public prosecutor's office impeded the investigation and prosecution of some allegations of human rights abuse. Trafficking in persons continued to be a problem, although increased government attention contributed to an apparent decline in some forms of trafficking during the year. Societal discrimination against ethnic minorities, particularly Roma, continued to be a problem; however, tensions between the ethnic Macedonian and Albanian populations continued to decrease.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

On February 3, the Skopje Court of Appeals acquitted three former police officers and a businessman charged with the 2002 police killing of seven South Asian illegal immigrants in Rastanski Lozja. The prosecution appealed the acquittals to the Supreme Court, whose ruling was awaited at year's end. The prosecution alleged that former interior minister Ljube Boskovski ordered the killings, claiming that the immigrants were terrorists who threatened foreign embassies in Skopje. However, at year's end the government had not filed charges against Boskovski, who was in prison in The Hague facing unrelated war crimes charges. The acquittal and protracted judicial procedure in the case were widely criticized by the public, judicial officials, and international experts. A civil court had not ruled by year's end on the defendants' claims for monetary compensation for prolonged and wrongful detention.

At year's end the Kumanovo trial court, after three reversed judgments, was scheduled to retry for the fourth time one of the 12 defendants charged with terrorism for planting explosives in 2003 in Kumanovo and on nearby railway tracks, killing one person and injuring several others. The Skopje appellate court and the Supreme Court upheld the 2006 and 2007 convictions of four of the defendants; three received 14-year sentences and one a 10-year sentence. The remaining seven defendants remained at large.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however there were credible reports that police at times used excessive force during the apprehension of criminal suspects and that they abused prisoners.

For example, on May 16, a man in Skopje accused police of using excessive force during a routine traffic stop. The Ministry of the Interior's Professional Standards Unit (PSU) determined that the police officers at this location abused their authority and initiated disciplinary procedures. Members of the Alphas special police unit beat Alsat television cameraman Igor Ljubovcevski on September 26, causing him bodily injuries. The television crew was filming police as they stopped the vehicle of a member of parliament of the Democratic Union for Integration party just outside of Skopje.

A number of cases from previous years remained unresolved. Of five cases of alleged police mistreatment referred to the prosecutor's office by the ombudsman's office in 2005, an investigation was opened in one, and three remained officially under review; the prosecutor declined to pursue the fifth case. After the prosecutor's office dropped its investigation of their assertions that police beat them in a police station in 2005, three Romani filed a civil suit, which was pending at year's end.

For the third year no developments were reported in the European Roma Rights Center's (ERRC's) criminal complaint over a 2004 police beating of two Romani men, Trajan Ibrahimov and Bergiun Ibrahimovic, in Skopje.

On February 15, the European Court of Human Rights ruled that the government violated the European Convention for the Protection of Human Rights and Fundamental Freedoms by refusing to investigate an accusation by a Romani man, Pejrusan Jasar, of police brutality towards him while he was in custody in 1998.

The police statistical unit reported that citizens filed 251 credible complaints of police misconduct during the year, including 61 alleging excessive force. The ombudsman filed 50 such complaints, 14 charging use of excessive force and 36 other forms of misconduct, and various nongovernmental organizations (NGOs) filed 60.

Prison and Detention Center Conditions

Prison conditions barely met international standards. The government permitted visits by independent human rights observers. Significant problems noted by international observers were poor hygienic conditions and medical care, inadequate state funding, and overcrowding, including at the Skopje detention center.

In the pretrial detention facility in Skopje, juveniles and adults shared the same common spaces.

The government usually granted permission for visits to convicted prisoners by independent humanitarian organizations, including the Council of Europe's Committee for the Prevention of Torture (CPT) and the International Committee of the Red Cross (ICRC), and the ombudsman's office. A CPT team visited the country in October. The law allows access to pretrial detainees for family members, physicians, diplomatic representatives, and representatives from the CPT and ICRC with the approval of the investigative judge, which was usually granted but often took considerable time to obtain.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, arbitrary arrest and detention were problems.

Role of the Police and Security Apparatus

The national police are a centralized force, subordinate to the Ministry of the Interior, consisting of uniformed police, criminal (civilian) police, and border police.

Despite improvements in recent years, an ethnic imbalance remained in the police force. At year's end, 21 percent of the force consisted of ethnic minorities, short of the government's 25 percent recruiting quota for minority officers. Ethnic Albanians made up 25 percent of the population and constituted 17 percent of the police force.

International observers and local NGOs cited corruption, lack of transparency, and political pressure within the Ministry of the Interior as hindering efforts to fight crime, particularly organized crime. International organizations focused their assistance programs on police reform and training to professionalize the ministry and aid in fighting corruption.

In Kavadarci, legal proceedings stemming from corruption charges filed in 2004 continued at year's end. The appellate court overturned the Kavadarci trial court's original conviction, but a retrial also led to conviction, and a one-year prison sentence, and an appeals court upheld it. At year's end the Supreme Court had not yet ruled on the subsequent extraordinary legal remedy, "a request for mitigation of the sentence," filed by the defense.

Police impunity remained a problem, although there were improvements. More aggressive internal investigations, coupled with the work of the office of the ombudsman, substantially reduced impunity.

The PSU conducts all internal affairs investigations and allegations of police misconduct. Unit officials were slow to complete investigations and bring charges in outstanding human rights cases from previous years. Nevertheless, international observers noted continued improvements in the Interior Ministry's response to new cases of individual police misconduct and more frequent and consistent disciplining of officers found guilty.

The PSU recommended disciplinary action against officers in 175 cases. The Interior Ministry punished employees by reductions in pay (in 81 cases against 145 employees), suspension from the police force (in 40 cases against 84 employees), and reassignment (in 18 cases against 43 employees), for a total of 139 cases. The PSU forwarded 87 cases of alleged police abuse to the prosecutor during the year with a recommendation for criminal prosecution. The prosecutor accepted charges in 82 of the cases. During the year 30 police officers and 19 border police officers were convicted of bribery and misuse of official position.

In a separate incident, in November a court convicted 30 members of the Interior Ministry's Rapid Deployment Unit of involvement in a December 2006 fight in a Skopje nightclub. Observers criticized the generally lenient sentences given to the perpetrators, considering the nature of the crime.

Representatives from a number of international organizations, including the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU), and foreign governments continued to monitor police operations and advise the Interior Ministry on police reforms.

Arrest and Detention

The law requires warrants issued by an investigative judge for arrest and detention, and police generally followed those requirements in practice.

The law provides that a detainee must be arraigned in court within 24 hours of arrest, and, in contrast with previous years, there were no reports that police skirted this requirement by transferring suspects from one police station to another to avoid exceeding the 24-hour period at any one station. Only an investigative judge, at the request of a prosecutor, may order detention of suspects for longer than 24 hours. The judge may approve two additional 24-hour periods. Police generally adhered to these procedures in practice.

On June 20, the Association of Psychiatrists of Macedonia reported that police delivered a man to a Skopje psychiatric hospital, where he was kept for 35 days without a court order, in violation of the law and police detention authority.

The law permits a detainee to contact a lawyer at the time of arrest and to have a lawyer present during police and court proceedings; however, there were occasional reports that detainees were denied this access. Such access must be approved by the warden of the detention facility and, in rare cases, also by the investigative judge. The law requires that indigent defendants be given access to attorneys, and this requirement was generally respected in practice.

The law permits immediate family members access to detainees and access was generally provided, although it was not always prompt. As in the case of lawyers, access must be approved by the facility warden, and in rare cases, by the investigative judge.

There were reports that police continued to call suspects and witnesses to police stations for "informative talks" without informing them of their rights. Most allegations of this practice involved accusations that police targeted the individuals for political reasons. The individuals were not arrested or held for extended periods of time.

There was a functioning bail system. The law sets the maximum length of pretrial detention at 180 days. However, individuals and some local NGOs alleged that judges increasingly abused their detention authority by ordering pretrial detention in cases where other means of guaranteeing the presence of defendants at trial (bail, home confinement, or relinquishment of the defendant's passport) could have been utilized. In addition, there were some reports of government pressure on judges to order pretrial detention in certain instances, including against members of the political opposition. The increasing length of pretrial detention was a contributing factor in overcrowding in the detention facility in Skopje.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice; however, the judiciary was weak, inefficient, and occasionally appeared to be influenced by political pressure, intimidation, and corruption. Some judicial officials accused the government of using its budgetary authority and modest allocations to the court system as instruments to exert control over the judiciary.

The country has a three-tiered court system composed of trial courts, appellate courts, and the Supreme Court. The Constitutional Court, not considered part of the judicial branch, deals with matters of constitutional interpretation and certain human rights protection issues.

The planned implementation on January 1 of a number of judicial reform laws enacted in 2006 to enhance the independence and efficiency of the judiciary was delayed, and the delays resulted in reduced efficiency of the judiciary. The establishment of the new Administrative Court and an appellate court in Gostivar was delayed for

several months because of delays in the election of members to the Judicial Council, a body of judges that oversees personnel and budgetary matters for the courts. Based on unofficial reports from government authorities, through November the trial courts decided only 44 percent of the 1.6 million cases on their books and this increased the backlog of cases by 4 percent. However, seven trial courts participated in a pilot program to introduce modern case management techniques; they reduced their backlog of civil cases older than three years by 57.6 percent and their backlog of cases older than one year by 38.3 percent.

On January 14, a new chief public prosecutor was nominated by the government and appointed by parliament to a six-year term. The former chief public prosecutor was removed from office in October 2006 for allegedly failing to perform his duties; some international and local observers saw his removal as politically motivated.

Trial Procedures

The law provides for the presumption of innocence. Court proceedings are open to the public with some exceptions, such as trials involving minors or in which the personal safety of the defendant is at risk. Juries are not used. Trials are presided over by judges; two to three community-member consulting jurors assist each judge in determining the verdict, although the judge generally makes the final decision regarding the sentence. Defendants have the right to consult an attorney in a timely manner in pretrial and trial proceedings. This right was respected in practice at times; however, access to attorneys was sometimes not granted in a timely manner. The law requires that an attorney be provided at public expense for indigent defendants, and this requirement was generally respected in practice. Defendants may present and question witnesses and present evidence on their own behalf. Defendants and their attorneys are entitled to have access to government-held evidence, but this did not always occur in practice. Defendants have a right to appeal guilty verdicts.

The law provides that defendants may be tried in absentia as long as the trials they are repeated if the convicted individuals later become accessible to justice officials.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There was a partially independent judiciary in civil matters, and citizens had access to courts to bring lawsuits seeking damages for, or cessation of, human rights violations. Reform legislation enacted in 2006 mandated designated trial courts of extended jurisdiction, i.e., the appellate courts, the Supreme Court, the Constitutional Court, and the new Administrative Court, to adjudicate citizens' lawsuits for various types of human rights violations. Although plagued with political and administrative delays, additional courts mandated by the 2006 law began to take shape during the year. The Administrative Court, created to hear cases against state institutions, became operational in late December.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice. The law prohibits speech that incites national, religious, or ethnic hatred.

Individuals could criticize the government publicly or privately without reprisal, and the government did not attempt to impede criticism.

Media institutions and reporting were divided along ethnic and political lines, with the most striking divisions visible in reporting on controversial political issues. There were allegations of threats against media outlets that did not report favorably on the government, as well as more subtle government pressures.

The independent media were active and expressed a wide variety of views without restriction. There were six major daily newspapers in Macedonian, one of which was distributed without cost, as well as three dailies in Albanian. None of the Macedonian or Albanian media were officially government-controlled.

International newspapers and magazines were available throughout the country.

Macedonian Radio and Television, which generally favored the government's views on political issues, was the country's sole public broadcaster. There were five private television broadcasters with national coverage and 46 private local and regional television stations. All broadcast news programs and reflected a variety of viewpoints. There were many independent radio stations.

Beginning in May broadcasting licenses were no longer issued by the government but by the National Broadcasting Council, made up of nine members elected by parliament on the basis of nominations from the Macedonian Academy of Sciences and Arts (one member), the Inter-University Conference (three), the Association of Journalists of Macedonia (two) and the Parliamentary Commission for Elections and Appointments (three).

In addition to the state-owned Macedonian Information Agency (MIA) and the private Makfax, two additional news agencies started operation during the year, Netpress in Macedonian and INA in Albanian. The news agencies were generally factual in their reporting.

On January 1, legal changes took effect that abolished prison sentences for defamation, libel, and slander, whether committed by means of the press, radio, television, electronic mail or through other public media, or at a public gathering. As a result, while redress for such offenses could be pursued in criminal or civil suits, offenders could be punished only by fines, damages to the injured party, or both. In some cases those who apologized to the injured party in court could be relieved of any punishment provided that the judge determined that the apology was sufficient.

On June 17, a court ruled in favor of journalists who sued the state in 2001 for illegal wiretapping. Both parties appealed the amount of damages, and the appellate court had the matter under review at year's end.

In a press release posted on its official web site in May, the Democratic Party of Albanians (DPA) used language widely regarded as insulting and threatening against journalist Iso Rusi following the appearance of his commentary which analyzed why the party was against the liberalization of the Law on Religious Communities. Media, NGOs, and the Helsinki Committee condemned the party's attacks on the journalist. Rusi did not press charges against the party.

In September there were two physical attacks against journalists. A security guard from the ethnic Albanian party Democratic Union for Integration (DUI) slapped A1 television journalist Lirim Dullovi on the face while Dullovi was at work covering developments in parliament. Police issued an arrest warrant for the security guard.

Members of the Alphas special police unit assaulted Alsat television cameraman Igor Ljubovcevski, causing him bodily injuries; the television crew was filming the police as they stopped the vehicle of an DUI member of parliament just outside of Skopje. Domestic and international media organizations condemned the attacks. In protest, journalists and cameramen boycotted the first government press conference following the incidents involving their colleagues. Four policemen involved were reportedly suspended, and criminal charges were filed against one of them.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. A survey conducted in April found that 32 percent of the population used the Internet and 17 percent had access to the Internet in their homes. The majority of the users accessed the Internet at an Internet cafe (47 percent), in their homes (31 percent), at work (18 percent), or at school or university (17 percent).

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right in practice. For public gatherings of any kind, the organizers must notify the Interior Ministry so that the venue can be made secure. The same rule applies to registered or unregistered religious groups. According to the Ministry of the Interior, no such request had been made by any religious group over the last three years.

Freedom of Association

The law provides for freedom of association, and the government generally respected this right in practice.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice; however, the law places some limits on religious practice by restricting the establishment of places of worship and refusing to recognize more than one community of any faith.

The law defines the constitutional provision for religious freedom, designating the Macedonian Orthodox Church, the Islamic community, the Roman Catholic Church, the Jewish community, and the Methodist Church as religious "communities." All other registered religious associations are considered to be religious "groups" and must register with the State Commission on Relations with Religious Communities and Groups. However, due in part to court decisions invalidating portions of the law, it has been enforced inconsistently. On September 5, the parliament passed a new law regulating the legal status of religious communities and groups that in the view of many observers generally met international standards.

The commission did not receive any new applications for registration during the year. On January 10, the Supreme Court upheld a 2006 commission decision to reject the application of the Reformist Movement of Adventists. The commission's decision was based on an article of the law that allows only one religious community to be registered for each denomination.

The law in effect during the year required all entities, including religious ones, to have a government "opinion" in order to obtain a permit to build a religious or any other facility. However, past court rulings restricting government authority to provide such opinions effectively blocked religious groups from obtaining construction permits for worship facilities. In practice the government generally did not take action against groups that constructed buildings without permits.

Members of Jehovah's Witnesses alleged that government officials discriminated against their religious group during the year by refusing their request for a building permit, even though the group was officially registered and had the proper documentation.

The law in effect during the year somewhat restricted the availability of places of worship; for example, it requires that a permit be obtained at least 15 days in advance for services in places not specified in the law. The law also states that religious activities "shall not violate the public peace and order and shall not disrespect the religious feelings and other freedoms and rights" of persons who are not members of that particular religion. The government did not actively enforce most of these provisions but acted upon complaints when they were received.

Although a permit or permission is not required to perform religious rites in a private home, members of the "Orthodox Archbishopric of Ohrid," a Christian Orthodox community that refused to recognize the self-declared autocephaly of the Macedonian Orthodox Church, remained unregistered.

On April 25, Jovan Vraniskovski, leader of the "Orthodox Archbishopric of Ohrid," was released from prison after serving nine months of a one-year sentence for embezzlement. Vraniskovski continued to claim that his conviction was a result of discrimination on account of his religious beliefs. According to a group representative, officials refused to return Vraniskovski's passport following his release from prison.

The law requires that foreigners entering the country with the intent to carry out religious work or perform religious rites receive approval from the State Commission on Relations with Religious Communities and Groups. When applying for visas, persons planning to perform religious work must submit a letter of invitation from representatives of a registered religious group in the country to the commission. The commission then issues a letter of approval to be submitted with the visa request. Approvals were normally issued within one week.

The restitution of religious properties expropriated by the former Yugoslav government was not fully resolved. Virtually all churches and many mosques have been returned to the ownership of the appropriate religious community, but other properties, such as larger parcels of land or community centers, have not. Restitution and compensation claims often were complicated by the fact that the properties have changed hands many times or have been developed. The Islamic community claimed it was not able to regain rightful use of several mosques that the government undertook to return to it. The Islamic community and the Macedonian Orthodox Church cited greater difficulty in regaining possession of previously owned property if it was in a desirable location for investors or business owners, particularly in urban areas.

The Jewish community was the only religious group whose community property was fully restituted. On December 28, the government signed an agreement with the Jewish community under which the government agreed to compensate the community approximately $24,800,000 (17 million euros) for all heirless Jewish property nationalized or otherwise confiscated by the previous regime. The Jewish community estimated that the amount would allow them to complete construction of a Holocaust Memorial Center for Macedonian Jews that was begun in 2005.

Societal Abuses and Discrimination

There were isolated reports of vandalism of religious properties. On May 20, unknown perpetrators set fire to a mosque in Obednik, a small southwestern village. The fire caused little damage, and local authorities believed the perpetrators were not from the village. The act appeared to be an isolated case.

The long-running ownership dispute between the Bektashi religious group and the Islamic community over a religious compound in Tetovo remained unresolved. The Bektashis, a Sufi Islamic group, filed suit against the government to reverse the former Yugoslavia's nationalization of the property and against the Islamic Community of Macedonia, which seized the complex by force in 2002 and continued to hold services there, excluding Bektashi community members from the majority of the property.

The Bektashi reported that, on March 21, a large photograph at the entrance to the compound was vandalized and a number of plants and trees on the grounds of the compound were destroyed. The community said police investigated the incident, and, although the perpetrators have not been found, there had been a welcome increase in police presence at the compound.

The Jewish community estimated that approximately 600 Jews lived in the country during the year. There were no reports of anti-Semitic acts.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not use forced exile, internal or external.

Internally Displaced Persons (IDPs)

At year's end the UNHCR reported 779 persons displaced during the 2001 internal conflict were not fully resettled. Of these, 395 lived in collective centers, and 384 were lodged with host families.

IDPs received basic assistance, mostly from the Ministry of Labor and Social Policy, but had few opportunities for engaging in income-generating activities due to the high overall unemployment rate in the country. The government allowed IDPs access to domestic and international humanitarian organizations, and allowed them to accept assistance provided by those groups.

During the year the government continued to encourage IDPs to return to their homes of origin in areas the authorities considered safe. Some IDPs continued to assert that the government was not providing adequate support to enable them to do so.

Protection of Refugees

The law provides for the granting of asylum or refugee status to persons in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared prosecution. The government granted refugee status and asylum, but only in rare cases. Only 28 of 164 registered asylum seekers were recognized as refugees during the year. According to December figures, 1,115 persons enjoyed humanitarian protection, a status that was subject to annual review. A small decline in the number of registered asylum seekers and those granted humanitarian protection was due, in part, to some voluntary repatriations, and in part to government determination that circumstances in some foreign countries no longer justified granting humanitarian protection.

According to the UNHCR, a refugee status determination (RSD) mechanism was accessible and active, and the overall process was handled in a generally satisfactory manner. The country's RSD laws were considered satisfactory, but implementation of the RSD procedure in some cases was inadequate. The UNHCR noted shortcomings in refugee interview techniques and worked with Interior Ministry officials to improve them. A more serious shortcoming noted by the UNHCR was the lack of an effective appeals system for those not initially granted refugee or asylum status by the government's RSD commission. The UNHCR reported that appeals rejected by courts of first instance were usually given only cursory review by the Supreme Court, which simply rubber-stamped the RSD commission's initial decisions.

The government provided humanitarian protection status to most refugees and asylum seekers in the country. However, that status was valid for only 12 months on an individual basis and was subject to nonrenewal, which occurred in a few cases during the year.

At year's end there were slightly more than 1,850 refugees remaining in the country from the 1999 conflict in Kosovo, most of them Roma. Romani refugees, many of whom settled in Skopje, were often targets of private harassment and verbal abuse. However, refugees in the predominantly Romani municipality of Suto Orizari generally did not experience these problems.

Stateless Persons

Under the constitution, any Yugoslav citizen who had legal residence in Macedonia in 1991 could acquire Macedonian citizenship by simple application. The unresolved citizenship status of some long-term residents remained a problem. A 2004 "transitory clause" temporarily eased naturalization requirements for foreigners married to Macedonian citizens, persons without citizenship, and persons with refugee status; however, the transitory clause expired in March 2006.

There was no survey to determine the number of residents without citizenship status; however, the UNHCR estimated that as of December there were 537 stateless persons and urged the government to be flexible in interpreting the citizenship law. The UNHCR continued to provide legal assistance to persons wishing to change their citizenship status and generally received good cooperation from the Ministry of the Interior.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, generally free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

National parliamentary elections were held in July 2006. International observers characterized the elections as generally in accordance with international standards but noted serious irregularities, such as voter intimidation, ballot stuffing, and family or proxy voting in some areas. The official 20-day campaign period was marred by several violent incidents, including attacks on campaign offices, fights among party activists, and nonfatal shooting incidents. Most of these incidents occurred in the northwest part of the country and involved the rival ethnic Albanian political parties, DUI and DPA.

Some women from more traditional communities, particularly ethnic Albanians, were disenfranchised due to the practice of family or proxy voting by male family members on their behalf.

There were 37 women in the 120-seat parliament and three women in the 23-member Council of Ministers. The law requires that one in every three positions on each political party's list in both national and municipal elections must be from the less represented gender.

There were 28 ethnic Albanians, two Roma, two Turks, one Serb, one Bosniak, one Macedonian Muslim, and one Vlach in the 120-seat parliament. There were seven members of minorities in the 23-member Council of Ministers.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity.

According to the World Bank's Worldwide Governance Indicators, government corruption was a serious problem.

Instances of corruption in the police and judicial systems were of particular concern. On April 5, Zoran Trajanov, chairman of the Kocani trial court, was sentenced to one year in prison for abuse of position. The State Judicial Council had previously revoked Trajanov's immunity. On September 10, a court sentenced Nexhat Memeti, a former Gostivar trial court judge, to two and a half years in prison for abuse of position.

During the year several high−profile cases of corruption were filed or prosecuted. On June 14, after a yearlong extradition procedure, Metodija Smilenski, the former director of the bankrupt Export Import Bank, returned to Macedonia from Serbia to face trial in several corruption cases. On July 18, the Sveti Nikole trial court gave Smilenski his first conviction, on embezzlement charges, and sentenced him to four years in prison. On August 20, Smilenski went on trial on charges of colluding with the then governor of the Macedonian National Bank, Ljube Trepski, to embezzle funds by using the nation's currency reserves to guarantee the debts of Smilenski's Export Import Bank. Trepski was tried in 2006 for his part in the crime.

On August 1, the parliament's Committee on Mandate and Immunity issues stripped Vlado Buckovski, former prime minister and current opposition member of parliament, of his parliamentary immunity. He faced criminal charges for abuse of power and embezzlement of funds, which allegedly took place in 2001 when he was minister of defense. Buckovski was questioned by an investigative judge on August 3. At year's end the case was ongoing.

At year's end a retrial continued in the case against Nikola Tasev, the former general manager of the Nova Makedonija publishing house, on charges of abuse of position in connection with the sale of 70 percent of the company on the eve of the 2002 parliamentary elections. In April 2005 Tasev was sentenced to four years in prison by the Skopje trial court but the appellate court ordered a retrial. Besnik Fetai, the economy minister at the time of the privatization, was acquitted of similar charges. Nova Makedonija was the country's largest state−owned publishing house before its liquidation in 2003.

The State Commission for the Prevention of Corruption was responsible for investigating charges of corruption as well as complaints submitted by citizens. During the year the commission received 1,114 complaints concerning the work of state bodies, privatization procedures, judicial procedures, and other relevant cases.

Members of parliament and high-ranking public officials were subject to financial disclosure laws.

The law provides for public access to government information. According to a local NGO, however, in the period September 2006-September 2007, over 40 per cent of the citizens' 629 requests for public access to government information were denied.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

More than 4,000 domestic and internationally registered NGOs operated in the country, including Forum, Most, the Macedonian Helsinki Committee, and NGOs devoted to specific causes, including Romani rights, human trafficking, and voters' rights.

The OSCE-led international community efforts to engage the government on human rights issues, and OSCE and EU monitoring missions continued to implement projects to improve relations between ethnic Macedonians and ethnic Albanians.

The ombudsman's office has a mandate to reduce discrimination against minority communities and promote their equitable representation in public life. The ombudsman's office operated six local branch offices around the country. Its representatives have the legal right to visit all detained persons, including those in pretrial detention; this right was exercised without restraint during the year. The ombudsman found that government institutions violated individuals' rights in 494 cases out of the 2,746 complaints received during the year. Most cases concerned violations of judicial procedures, police abuse, and labor and property rights. The government acted on the ombudsman's recommendations in 70 percent of these cases but in some instances did not provide information requested by the ombudsman's office in the course of its investigations. During the year the ombudsman's office noted increased cooperation and communication with the government compared to previous years.

The government generally cooperated with the International Criminal Tribunal for the former Yugoslavia (ICTY). In 2005 the ICTY indicted two ethnic Macedonians--former interior minister Ljube Boskovski and former police officer Johan Tarculovski--on charges of complicity in the 2001 killing of ethnic Albanian civilians in Ljuboten. Proceedings began on April 16 and continued at year's end.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on gender, race, disability, religion, or national, social, or political affiliation, and the government generally enforced these provisions. Societal discrimination against ethnic minorities persisted and inadequate protection of women's rights remained a problem.

Women

While the law specifically prohibits rape, including spousal rape, conviction requires proof of both penetration and active resistance by the victim; however, legal sanctions were not a significant deterrent. The requirements for proof were more stringent than for other violent crimes. The penalties for rape or forcible sexual assault range from one to 15 years' imprisonment. Some rape cases were tried during the year. As with domestic violence, police and judicial officials were reluctant to prosecute spousal rape, and many victims did not come forward due to social stigma.

Domestic and other violence against women was a persistent and common problem; a survey conducted in 2006 by a local NGO specializing in the problems of family violence, found that 56 percent of women claimed to have been victims of psychological domestic violence, and 18 percent of women claimed to have been victims of

physical domestic violence.

Cultural norms, including victims' concern over possible shame to the family, discouraged the reporting of violence against women, and victims of domestic violence rarely filed criminal charges. Although the law specifically criminalizes domestic violence and prescribes substantial punishments for violators, the law was rarely applied in practice. While the law provides for civil restraining orders to protect potential victims, there were reports that police officers were unaware of provisions of the law that allowed them to act to protect victims of family violence. Police often did not respond to allegations of domestic violence. The government did not require domestic violence training for police, prosecutors, or judges; however, international organizations provided such training to a number of law enforcement officials.

The government operated six limited-capacity crisis centers for women at risk and funded a national NGO-operated hot line for victims of domestic violence in Skopje. Local NGOs working to combat domestic violence relied to a large extent on international donor assistance. Public concern about violence against women was not generally evident in the media, although some women's groups worked to raise awareness of the issue.

Prostitution is illegal. The law, however, was not always enforced. Some foreign women accused of prostituting themselves were deported; some men were prosecuted for "mediating" in prostitution.

Sexual harassment of women in the workplace was a problem, particularly in the private sector. Although the law does not specifically address sexual harassment, it could be prosecuted as a criminal act under antidiscrimination legislation; however, this did not occur in practice. Although women remained underrepresented in the higher levels of the government and the private sector, there were several prominent professional women in the public sector, including a female deputy prime minister, interior minister, and economy minister.

Women from certain parts of the ethnic Albanian and Romani communities did not have equal opportunities for employment and education due to traditional or religious restrictions on their schooling and participation in society. In some ethnic Albanian communities, women were disenfranchised by the practice of men voting on behalf of female family members.

The Office of Gender Equality in the Ministry of Labor and Social Policy was responsible for ensuring the legal rights of women. The Law on Equality, implemented in May 2006, established gender commissions at the municipal council level. During the year a gender equality commission established by the parliament began revising laws to promote equal protection for all genders.

Although the law requires men and women to be paid equally for equivalent work, wage discrimination against women remained pervasive, particularly in the private sector. While the law prohibits dismissal of women on maternity leave, discrimination against pregnant women continued in practice.

Among other activities, women's advocacy groups worked to combat domestic violence through awareness-raising campaigns, increase women's political involvement by training female candidates for local elected office, improve women's access to legal services, and promote the establishment of small and medium enterprises owned by females.

Children

The government was committed to the rights and welfare of children but provided only limited resources to this end. The ombudsman's office has a special unit for children that investigated complaints of violations of children's rights. The Ministry of Labor and Social Policy was responsible for children's welfare.

Education is mandatory through the eighth grade or to the age of 16; however, some children did not enter the educational system at all. The Ministry of Education reported that 95 percent of children were enrolled in school; no official statistics were available on school attendance or the number of children who did not have access to education. Primary and secondary education was free; however, students had to provide their own books and other materials.

Almost 90 percent of the children who finished primary school continued to secondary school; however, at both the primary and secondary levels, girls in some ethnic Albanian communities did not attend school. Approximately half of ethnic minority students did not go on to high school due to lack of classes in minority languages at the secondary level and to the conviction of many rural, ethnic Albanian families that girls should be withdrawn from school at age 14.

According to Romani community leaders, up to 10 percent of Romani children never enrolled in school. Of those who did enroll, 50 percent dropped out by the fifth grade, and only 35 to 40 percent finished the eighth grade. In ethnically mixed schools, Romani children were taught in classes with other pupils, but in classes in the predominantly Romani neighborhood of Suto Orizari in Skopje, 95 percent of the students were Roma. At times Romani students were sent to special schools for Romani; in some instances at the request of parents (pupils in such schools received food and clothing), and in others because educators judged that the students lacked the minimum preparation to enter regular primary school.

As in previous years, poor physical conditions of schools and insufficient classroom space were common complaints, particularly in the rural parts of the country. Students sometimes protested these conditions by refusing to attend school. Boys and girls generally had equal access to education, although there were isolated instances of discrimination against girls in educational institutions in some ethnic Albanian areas.

Boys and girls had equal access to state-provided medical care.

Child abuse was a problem in some areas. During the year, according to interior ministry statistics, 86 cases of sexual abuse against children were reported, of which 53 cases involved sexual assault, 13 were cases of rape, five involved satisfying sexual urges in front of others, two involved showing pornography to minors, and one case of incest with a minor. The Center for Social Work of the Ministry of Labor and Social Policy and the Department for Juvenile Delinquency of the Ministry of the Interior were responsible for addressing child abuse. NGOs were also active in this area.

Child marriage occurred with some frequency in the Romani community and less frequently in the ethnic Albanian community. It was difficult to estimate the extent of underage marriage in the Romani community because such marriages frequently were not registered. A survey of 960 Romani women in 2005 by a local NGO found that 54 percent had given birth to their first child by the age of 18, while 3 percent had given birth between the ages of 12 and 14.

Romani adults often organized their children into groups to beg for money at busy intersections, on street corners, and in restaurants and cafes.

According to some estimates, there were between 500 and 1,000 street children in the country; most of them were Roma. With international support, the Ministry of Labor and Social Policy operated a day center for street children.

Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, there were reports that persons were trafficked to, through, within, and from the country.

Although Macedonia remained primarily a country of transit for trafficking, officials and other observers acknowledged that the number of individuals trafficked within the country was increasing.

NGOs and government officials noted a decline in trafficking to and through the country beginning in 2006 after Romania and Bulgaria, heretofore the primary countries of

origin, joined the EU, and traffickers found more convenient routes westward. According to the International Organization for Migration (IOM), the initial decline continued during the year, in part because of police and antitrafficking activities (including intelligence gathering, investigation and identification), and EU integration and related economic development of the "traditional" source countries such as Romania and Bulgaria.

Albania and Serbia replaced Romania and Bulgaria as the most common countries of origin for trafficking victims. Little specific information was available about the destinations of victims trafficked through and from the country, although most were believed to be trafficked to Central and Western Europe.

Authoritative statistics on the scope of trafficking were difficult to obtain due to the changed modus operandi of the traffickers and to the fact that many of the potential victims refused to identify themselves as victims. Police raids and testimony by victims confirmed that a small number of trafficking victims were subjected to threats and physical or psychological abuse. However, NGOs and international community representatives reported that, to ensure that they did not identify themselves as trafficked victims if questioned by police, traffickers increasingly arranged for their victims to be residing in the country legally, paid them some money for their services, and granted them limited freedom of movement.

Trafficked women were forced to work in prostitution, often under the guise of dancers, hostesses, or waitresses in local clubs. There were no reports of trafficking for manual labor exploitation.

According to a government study, most internally trafficked victims were ethnic Macedonians from poor, dysfunctional families in the eastern part of the country, who were trafficked to bars and nightclubs in the western part. A smaller number of Roma and Albanian women were also trafficked and sexually exploited.

The government's National Commission for Prevention and Suppression of Trafficking in Persons and Illegal Migration was the lead coordinator for antitrafficking efforts. The Ministry of the Interior was the primary ministry involved in enforcement efforts, while the Ministry of Labor and Social Policy had primary victim protection responsibilities. Eight other ministries and court representatives also participated. During the year the commission opened an office to coordinate government and NGO efforts at sharing and comparing data on trafficking.

It is a criminal offense to traffic persons for sexual exploitation, forced labor or servitude, or slavery. The law specifies a minimum sentence of four years for most trafficking crimes and a minimum of six months for the destruction of identification documents of trafficked persons. Persons convicted of organizing trafficking receive a mandatory minimum prison term of eight years, and one to 10 years for complicity in trafficking. The law specifies a minimum six-month sentence for persons who knowingly use, or enable another person to use, the sexual services of a trafficked person. The mandatory minimum sentence for trafficking in children or for knowingly using trafficked children and juveniles for sexual exploitation is eight years.

Most victims of trafficking were discovered during police raids on bars and nightclubs. Police, who raided 71 suspicious bars in the period April-December, discovered 249 potential trafficking victims, 97 of them citizens. Local NGOs participated in the post-raid interviews and confirmed the police numbers. Nine of the victims discovered during the raids were minors.

By year's end, 55 trafficking-related cases had been prosecuted, and 118 individual suspects had been put on trial for involvement in trafficking.

On September 7, the Skopje trial court handed down trafficking-related sentences of two to nine years to 18 defendants who were charged as part of the regional antitrafficking and migrant smuggling operation "Danube." However, there were fewer reports than in previous years of traffickers in the country who were linked to regional trafficking networks.

The government was forthcoming with its information and proactive in conducting raids on suspicious clubs. NGOs, international organizations like the IOM, and a number of embassies in Skopje participated in a transparent antitrafficking steering committee led by the government's antitrafficking commission.

Four victims (two of them minors) were discovered in an April 26 raid on a bar near Tetovo and testified against the bar's owner and the individual who guarded them. On July 6, a court sentenced Rexep Fejzulai in absentia to six years in prison and gave Rexep Karimani a four-year sentence for "trafficking in persons under aggravated circumstances."

During the year the IOM operated a transit center that assisted 152 foreign victims of trafficking who had been discovered during police raids, up from 17 victims the previous year. The shelter provided assistance and housing throughout the trial process and until victims could be repatriated to their countries of origin. Four officers from the Interior Ministry were assigned to the shelter to provide protection to victims. In addition, a local NGO operated a shelter that assisted approximately 97 victims of internal trafficking who had been referred to the shelter by the National Referral Mechanism of the Ministry of Labor and Social Policy. All victims of trafficking identified in the country were entitled to, and usually received, housing and medical assistance.

Persons with Disabilities

The law prohibits discrimination on the basis of disability; however, persons with disabilities faced discrimination in employment, education, access to health care, and other state services. There are no laws or regulations requiring buildings to be made accessible to persons with disabilities, and many public buildings remained inaccessible.

Advocates stated that employers were reluctant to hire persons with disabilities and that the difficulty of accessing educational and other opportunities prevented them from fully integrating into society.

Some members of parliament and NGOs continued to push for legislation to improve the circumstances of persons with disabilities, but there has been little support from the government.

The Ministry of Labor and Social Policy is responsible for the integration of persons with disabilities into economic life and the payment of benefits. In practice the benefits that persons with disabilities received did not cover their cost of living and medical care. The ministry provided persons with moderate and severe mental and physical disabilities with training to enable them to engage in work and other activities suitable to their capabilities.

National/Racial/Ethnic Minorities

According to the 2002 census, the population was 64.2 percent ethnic Macedonian, 25.2 percent ethnic Albanian, 3.9 percent ethnic Turkish, 2.7 percent Roma, 1.8 percent ethnic Serb, 0.8 percent Bosniak, and 0.5 percent Vlach.

There were reports of police violence against Roma and Albanians, including beatings during arrest and while in detention. The most widely noted incident involved the "Mountain Storm" police operation in the village of Brodec, which involved a number of arrests of suspected gang members. Brodec inhabitants claimed that those arrested were innocent and victims of ethnic discrimination. The ombudsman's office and the Macedonian Helsinki Committee indicated that the police had used excessive force during their arrests. In December ICRC representatives were allowed to visit the Brodec detainees. ICRC's report had not been published by year's end.

According to the Roma NGO DROM, societal hostility toward Roma continued, but the instances of direct attacks have diminished significantly.

Relations between the ethnic Macedonian majority and the ethnic Albanian minority continued to be strained. However, there were some signs of continuing

improvement, especially in restoring confidence between the communities. Reports of disputes in schools between parents and school authorities over ethnic issues decreased for the third consecutive year.

Students from different ethnic groups sometimes studied in separate shifts or separate facilities, either due to use of different languages of instruction or at their parents' request.

Ethnic Albanians continued to complain of official discrimination. They were concerned about the slow progress in reaching what they considered to be equitable representation in government ministries, while ethnic Macedonians often claimed that they were targeted for downsizing regardless of job performance. Some ethnic Albanians claimed they were effectively disenfranchised by discrimination in citizenship decisions.

The government upgraded the "sector" for the implementation of the 2001 Ohrid Framework Agreement to a "secretariat" with greater authority and more personnel. The Ohrid Framework Agreement provides for better minority rights protection and integration of all sectors of Macedonian society. The secretariat had authority to hold accountable those state institutions that do not abide by the strategy for equitable minority representation.

According to the Framework Agreement's secretariat, in 2006 approximately 300 Albanian and other minority representatives were employed in state institutions. By the end of 2007, the number had risen to approximately 783. In addition, over 1,700 minority representatives were employed in public enterprises, courts, and other bodies under the purview of the secretariat. In 2006 the budget for Framework Agreement implementation was slightly more than $1 million (44 million denars); during the year it was $3.6 million (150 million denars) and in the adopted 2008 budget it was over $4.8 million (200 million denars).

Ethnic Albanians remained underrepresented in the military and police, especially in the intelligence and counterintelligence agencies, although special efforts were made to recruit qualified minority candidates.

According to law the languages of ethnic minorities must be recognized as additional official languages in areas where those minorities comprise at least 20 percent of the population. In those areas citizens had the right to communicate with local offices of the central government in the language of the minority group and to receive responses and personal documents in the same language; however, this did not always occur in practice. Under the law those accused of crimes have the right to translation at state expense of all relevant judicial proceedings and documents; this did not always occur in practice.

The law provides for primary and secondary education in the languages of the ethnic minorities, and primary education was available in Macedonian, Albanian, Turkish, and Serbian. The number of ethnic minority students who received secondary education in their native languages continued to increase; however, ethnic Albanians complained that distribution of public educational resources was not proportional to ethnic groups' representation within the general population.

Ethnic minorities remained underrepresented at the university level, although there has been progress in increasing the number of minority students since the 2004 recognition of the predominantly ethnic Albanian Tetovo State University.

Ethnic Turks also complained of governmental, societal, and cultural discrimination. Their main concerns were slow progress in achieving equitable representation in government institutions, the absence of Turkish majority municipalities in the 2004 municipal redistricting, and the inadequacy of Turkish-language education and media.

Roma complained of widespread societal discrimination. NGOs and international experts reported that Roma were often denied job opportunities, access to public welfare funds, and entrance to establishments such as restaurants and cafes.

Roma had the highest rate of unemployment and the lowest personal and family incomes, were the least educated, and had the highest mortality rates of any ethnic group. The government provided few social services to Roma, despite reports that unemployment among the Romani population was above 70 percent. In some instances Romani parents resisted sending their children to school due to their inability to pay for books and other fees or because they preferred for their children to work, either at home or on the streets.

During the year the government supported campaigns, funded by the Budapest Roma Education Fund, which contributed to a slight increase in the number of Roma children who attend school.

Other Societal Abuses and Discrimination

A local NGO representing the rights of homosexuals reported incidents of societal prejudice against homosexuals, including harassment or discrimination by employers and state officials. The Macedonian Association for Free Sexual Orientation faced bureaucratic obstacles in organizing activities. The press carried homophobic articles.

The number of persons with HIV/AIDS was extremely low, and there were no reports of societal discrimination against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law provides for the right to form and join unions, and workers did so in practice.

Unions may freely register with the Ministry of Labor and Social Policy. More than 50 percent of the legal workforce was unionized, and unions were particularly well represented in the public sector. There were two major union federations, the Confederation of Trade Unions of Macedonia (SSM) and the newer Confederation of Free Trade Unions (KSS), established in 2005. Several unions were not affiliated with either of the two confederations, including unions of journalists, police officers, farmers, and health care workers.

The law prohibits antiunion discrimination; however, it existed in practice. In some cases former employees accused private companies of firing workers for participation in union activities, although the companies usually had other justifications. Because of the delays in the court system, it could take a worker who was unjustly fired two to three years to regain employment through legal action.

Employers were rumored at times to have interfered in the internal affairs of unions by dominating union election campaigns or running their own candidates in union elections.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference; however, the government did not always actively enforce these laws in practice. The law protects the right of employees to bargain collectively, and most branch and local unions had collective bargaining agreements. All legally employed workers were covered by one of two collective bargaining agreements, one for public sector employees and the other for private sector employees. Although collective bargaining took place, employees had very little practical negotiating leverage due to the country's weak economic environment, and many collective bargaining agreements failed to keep pace

with changes in the environment and workplace.

During the year the SSM negotiated a collective bargaining agreement with the largest employers' association covering private sector workers. The agreement established minimum standards for working conditions in those companies that are members of the employers' association. The other union federation, KSS, and other independent unions contested the right of SSM to negotiate such contracts on its own, and this dispute was not settled by year's end. In the private sector, branch unions negotiated at the national level with the respective branches of the chambers of commerce, and local unions negotiated with individual companies. Negotiations for collective agreements in the public sector initiated by KSS as the largest representative of public sector employees, started in the summer. SSM contested KSS's right to negotiate the public sector collective agreement, but KSS was the only union federation to meet the legal requirement of 33 percent membership among public sector workers. SONK, the teachers union and a member of KSS, completed negotiations with the government on a collective agreement that covered workers in primary and secondary education. An ongoing legal dispute between SSM and KSS continued over ownership of a union owned building.

The law provides for the right to strike, and workers exercised this right in practice. The law allows members of the military and police to strike, but only if they adhere to restrictive guidelines and continue to perform essential services. However, the law on labor relations allows private employers to "exclude" or temporarily release up to 2 percent of a company's workers during a strike if the company considers these workers to be potentially violent or disruptive. The released workers would be rehired after the strike. The unions maintained that this provision allows employers to exclude union leaders from negotiations during a strike.

There is one export-processing zone, but it was not operational during the year.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred. Women and children were trafficked for sexual exploitation.

d. Prohibition of Child Labor and Minimum Age for Employment

While there are laws and policies to protect children from exploitation in the workplace, including a prohibition of forced or compulsory labor, government enforcement was uneven. The law mandates a prison sentence of at least eight years for anyone who buys, sells, keeps, or takes children or minors for the purpose of exploitation.

The minimum age for employment was 15 years. The law prohibits employing minors under the age of 18 in work that is detrimental to their physical or psychological health and morality. The law also prohibits minors under the age of 18 from working nights or more than 40 hours per week.

There were no official reports of illegal child labor during the year; however, there was evidence that such labor was used in the gray economy, primarily involving children who begged and sold cigarettes and other small items at open markets, in the streets, and in bars or restaurants, sometimes at night. The children involved in these activities were primarily Roma and most often worked for their parents. Officials did not punish such violations, and children remained vulnerable to exploitation. A report funded by the UN Children's Fund (UNICEF) and published in 2005 found that approximately 500 children worked in such activities.

Minors were sometimes trafficked for sexual exploitation.

The Ministry of Labor and Social Policy was responsible for enforcing laws regulating the employment of children. Government efforts to eliminate child labor abuse have been largely ineffective; while the necessary laws are in place, there has been little practical implementation of the policy and laws.

During the year the government funded a center in Skopje that provided education, medical, and psychological services to children who work on the street. A UNICEF-funded public awareness campaign on child labor and trafficking of minors ended in 2006, but a government-funded center for street children continued to operate. International donors supported programs to prevent children from working on the street and to increase school enrollment of children at risk for such work.

e. Acceptable Conditions of Work

The country does not have a national minimum wage established by law. The average monthly wage according to official statistics was approximately $346 (14,414 denars), which did not provide a decent standard of living for a worker and family. The government statistics office estimated that 29.6 percent of the population lived below the poverty line.

The law establishes a 40-hour workweek with a minimum 24-hour rest period and vacation and sick leave benefits. Employees may not legally work more than 10 hours of overtime per week, 20 hours per month, or 190 hours per year. According to the collective agreement between the government and the SSM, employees have a right to overtime pay of 135 percent of regular pay. In addition, employees who work more than 150 hours of overtime per year are entitled to a bonus of one month's salary. However, high unemployment and difficult economic conditions led many employees to accept work that did not comply with the law. In particular, small retail businesses often required employees to work well beyond the legal limits. During the year the Labor Inspectorate within the Ministry of Labor and Social Policy filed complaints against several private businesses for forcing workers to work long hours without the breaks required by law and for not legally registering all employees. In the case of such violations, the labor inspectors have the legal authority to close the establishment until the violations are corrected. In cases of repeated violations the owners can be fined. During the year authorities temporarily closed over 100 companies due to labor violations. None were fined.

The Ministry of Labor and Social Policy did not strictly enforce laws and regulations on worker safety. While workers have the legal right to remove themselves from situations that endanger their health or safety without jeopardy to their future employment, employers did not always respect this right in practice.

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