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Labor and Social Policy
Republic of Macedonia

Strategy for Roma in the Republic of Macedonia

December, 2004

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1. Basic Remarks

In the last decade the political articulation of ethnic identities has intensified within globalization as a world process. This trend to raise the issues of minority (ethnic) rights on an international level is especially strong in the countries in transition that have the status of EU membership candidates or strive to acquire it. This commitment necessarily determines the criteria and standards that these countries have to build in their legislation in order to affirm and protect human rights. Experience shows that the traditional approach in the resolution of minority issues has not given the expected results as far as the Roma are concerned. The situation of the Roma is entirely different from that of other ethnic communities and the approach taken up to now has not effectively addressed their problems. This has imposed the need to prepare special national strategies for the Roma in these countries to meet the specific needs and problems this ethnic community continuously faces. The motive for creating a document dedicated exclusively to the Roma derives from the need to create a comprehensive and consistent policy that would identify the critical issues and problems related to the specifics of this group within the globally defined key development trends. The strategy should also offer a concrete operational program for the implementation of the promoted policy and single out the entities that would be responsible for its implementation.

Even though, compared to other states, the Republic of Macedonia has made significant steps forward regarding the Roma as an ethnic community, in the aforementioned context, it is not an exception. Nevertheless there was no consistent and coordinated policy to meet the specific needs and the consequences are manifested in reality. The adoption of the Roma Strategy is an expression of will and determination of the government to reduce the existing gap between the Roma community and the majority population and to promote a truly multicultural society. Thus, the Republic of Macedonia, following the political directions drawn by the institutions of the European Union, joins the countries that have shown readiness to elaborate such a strategic document that would promote the principle of active protection of Roma rights. This does not represent only a moral obligation of the state, but it means that it is a legal obligation to care for the Roma. Namely, the care of the state relates to the duty to respect the stipulated rights through adequate legislation, and also to provide for their institutional protection through administrative and other necessary measures for the full exercise of the proclaimed rights.

Thus, the preparation of the Roma Strategy of the Republic of Macedonia derives from its aspirations for membership to the European Union. This entails elaboration of a comprehensive Roma development policy in accordance with the Copenhagen criteria for EU accession, as well as with many other EU documents concerning the Roma directly: Agenda 2000 of the European Union (1997); COCEN principles (1999), as well as the EU employment policies (the Amsterdam and Luxembourg summits 1997) and the social policies (Lisbon and Feira summits in 2000). All these documents show a need for direct

er to meet the needs of the vulnerable groups, among

At the same time, this obligation is also determined by the Draft Recommendations of the Council of Ministers of the Council of Europe, since they determine the measures that the states should implement regarding this population. In this sense, each government has the task of preparing a national, long-term, comprehensive and coherent strategy for the integration of Roma in society. As the Agenda 2000 stipulates, it is necessary to achieve ongoing development in the social, economic and political sphere, and to provide protection against discrimination and racism, including decent housing, adequate education and health services.

At the same time, solving the problems in these spheres, this strategy falls within and coincides with the efforts of the government to reduce poverty in general, since the Roma are considered to be the most vulnerable ethnic community in the Republic. Facts show that poverty among Roma is far more present than among any other group and it is based on numerous accumulated factors going back to history, tradition and their continuous social exclusion. The repercussions from such a situation have a negative manifestation on their level of education, access to public services, employment, housing, health care and so on. Thus, it is necessary to promote an *inclusive policy* that shall enable a way out of the vicious circle of dependence and discrimination that determine the long-term perpetuation of poverty.

Even though the Republic of Macedonia has tried up to now to build standards for the protection of the ethnic communities living in it, as far as the Roma are concerned, there is an evident absence of consistent state policy, coordinated efforts and resources. There have been in the past and there are certain projects related to this population that currently are being implemented, but these efforts have been partial and not sufficient to resolve the problems on a wider scope. Today, when the Republic of Macedonia is promoting the quality of multicultural society and is moving towards European integration, it is very important to show will and engagement in defining and implementing the strategic priorities related to the needs of the Roma. In this process it is of special importance to improve the capacity of the Roma community representatives, a fact that provides a better quality feedback reaction and suggestions for the policies that are going to be accepted for implementation in the strategy.

1.1. Strategy Goals

The Roma Strategy in the Republic of Macedonia should be viewed as a document representing a form of affirmative action applied regardless of the existing regulations and rights related to minority rights' protection. The main goal of the Strategy is to promote the empowerment and integration of the Roma in the main social and economic trends of the Republic of Macedonia by defining the basic directions for the implementation of a multidimensional state policy, and to serve as a priority basis on which concrete projects treating certain of its segments will be founded. For the Strategy to efficiently meet its objectives, its priorities must be realistically dimensioned and

the list of good wishes not to surpass the efficiency of

At the same time, the Strategy should also meet the real needs, problems and priorities of the Roma and introduce a balanced and sustainable approach in combining the planned goals, in accordance with the legally guaranteed human rights and policy of the state. Peaceful coexistence, but also integration, with the majority, shall be provided by improving the Roma community's social position, by enabling equal access to the existing possibilities, affirmation of the positive discrimination approach, as well as by developing the identity and culture of the Roma. Some issues, like gender issues and the functioning of the rule of law state in all its aspects, interlock with the defined priorities. In this context it is indispensable to include the local units, as the primary level in the realization of the proclaimed priorities. Only a multidimensional approach in creating and carrying out the strategy can guarantee its successful implementation.

General goals of the National Strategy for the Roma in the Republic of Macedonia are:

- Realization of overall Roma integration and participation of the Roma in the mainstream of Macedonian society;
- Enable equal access to the existing social opportunities;
- Reduction of poverty among Roma and their social exclusion as the most marginalized group in the Republic;
- Realization of Roma community long-term development in every aspect;
- Improvement in realizable proportions the average quality of life in the Republic through efforts of the state towards improvement also of the living conditions of the Roma;
- Reduction of differences in the educational level of Roma and the non-Roma population;
- Provision of the full engagement of the Macedonian state in the preparation and implementation of the priorities set in the Strategy;
- Achievement of greater rule of law, as well as inclusion in the state-legislative system and services of those Roma who still have not regulated these issues;
- Dealing with prejudice and discrimination of Roma;
- Stimulating all representatives of the Roma community to engage directly and more intensively in all the Strategy implementation phases;
- Establishment of normative and institutional environment for the realization of the European Union's standards, in accordance with the existing adopted regulations.

1.2 Actors in the Realization of the Strategy

The Strategy is a complex document that cannot presume involvement of only one line ministry or only of the government. It is imperative to involve in the creation of the Strategy (determination of strategic priorities) and its implementation the representatives of the Roma community (political representatives and parties, citizens' organizations or

tion) in order to provide consensus, wide support and means that it is necessary to establish a form of permanent communication between the government and the influential representatives of the Roma community with the aim of achieving direct articulation of their current interests and their successful incorporation in the implementation of the envisaged state policy. This would intensify the democratic processes in the Republic, making the decision making process transparent and would ultimately enable the Roma as ethnic group to experience this document as their own. All these elements add value, legitimacy and weight to the Strategy, and with it they provide better chances for a more successful implementation. It is expected that in this way all the involved actors would share the responsibility for its implementation.

At the same time, it is necessary for the Strategy as a document to come as a result of a political consensus among all the relevant political parties, this being a precondition for its successful implementation. The implementation itself should not be burdened with national or local daily politics. It is very important to envisage the chosen strategic solutions through the prism of their future far reaching consequences and effects in order to provide the adequate personnel and expertise.

The participation process should be envisaged and put in a frame that would serve as an operational scheme for inclusion of all the parties involved in this process. The Ministry of Labor and Social Policy has formed, for the needs of the Strategy, a working group composed of people appointed by different ministries and services in order to cover each of the encompassed areas. More precisely, when the Strategy gets the support of the Government as general policy, the implementation is expected to be carried out at the level of the line ministries. Due to this good organization and coordination of the activities is of special importance in order to obtain the optimum capacity for the "absorption" of the tasks by the competent organs and their successful implementation. In this sense it is essential to institutionalize the Strategy implementation policy by forming institutions and bodies within the relevant ministries and determining their specific tasks. Each department should prepare an action plan designed for all levels of implementation, at national and local levels, supported by adequate annual budgeting. Finally, it is necessary to provide systematic monitoring of the policy effects and the trend could be measured with predetermined indicators and different relevant data monitored in predefined schedules.

Special accent should be put on the efficiency and sustainability of the activities, accompanied by a reasonable and planned departmental allocation of resources aimed for parts of the Strategy.

In this context the numerous foreign partners who have expressed long term interest in the problems of the Roma as their share in the Strategy should be enumerated. Some of them, like PER (Project on Ethnic Relations) contribute by organizing round tables¹ and

¹ The meetings are organized with the support of the Swedish government. Representatives of the government, the Roma community and experts in the relevant area meet to discuss the main elements of the Strategy and give comments on the offered Draft-Strategy.

, and others appear as current and future donors or entities. These include different development agencies (World Bank, EU, UNDP, OSCE and UNICEF) as well as foreign embassies or other national development agencies and foundations (FOSIM), as well as domestic organizations that have the necessary capacity. Interest is shown also through regular donor meetings on the topic, organized on the basis of rotating host at each future meeting.

1.3 National Strategy and Roma Inclusion Decade

The process of enactment of the National Strategy for Roma in Macedonia coincides in time with the Roma Inclusion Decade (2005-2015) and the creation of its priorities. Since both processes are regional and have a similar approach, they evolve parallel and interlocked, thus implying overlap of part of the priorities. This is especially true regarding the global goals of the Decade, those being: eradication of poverty, elimination of discrimination and reduction of the social exclusion of minorities. The basic development criteria are seen through the Millennium Development Goals² and the Social Inclusion Program of the European Union. The Decade establishes as priority problems of the Roma the following areas: *housing, education, health and employment*. It is expected for the priority of the Decade to be given a central position among the goals and tasks build in the National Strategy for Roma in the Republic of Macedonia.

1.4 Initial Dilemma

According to the latest official census results³, Macedonia has 2,022,547 inhabitants, of those 53,879 Roma or 2.66% (See Annex table 1). Compared to the 1994 census (the Roma then amounted to 43,707 or 2.2% of the population) there is a significant increase in this group's number. This registered number of Roma citizens in the Republic of Macedonia is the target group of the priorities encompassed by this Strategy.

One of the initial problems for which there is awareness is the discrepancy between the officially published number of Roma living in the Republic of Macedonia and the unofficial statements in this regard given by the representatives of the Roma community⁴, suggesting a far larger number. Of course these figures should be checked through

² The Millennium goals include: efforts to reduce the lack of income, better education and health care, fight against hunger and gender inequality, prevention of environmental deterioration and building global development partnership.

³ First data published on December 1, 2003 from the census conducted in November 2002.

⁴ From sources coming from Roma organizations it is suggested that the Roma population in the state is far larger than the officially presented figure and that in fact there are 135,490⁴ or about 6.7% of the population. The largest concentration of Roma, according to these data is of course in Skopje 69,120, then come Prilep 12,000, Kumanovo 6,500, Strumica 6,500, Tetovo 6,000, Stip 5,000, Bitola 5,000, Kocani 3,500, Veles 4,000, Vinica 3,000, Gostivar 3,000, Kicevo 3,000 and so on. Source: Elezovski Ahmet "Between Fiction and Reality," 2003. Other sources (again from the Roma environment) consider that the real number of Roma in Macedonia is somewhere around 80,000 (or 3.9%)⁴. This figure has been provided by the citizens' organization Educational Center "Darhija" Zoon, Ina Roma. Access to Employment in FYR Macedonia, Conference held in June 2004 in Skopje, Macedonia.

users in order to enable such data to represent a relevant
as in the direction of the strategic priorities.

This discrepancy between the official figures and those stated by 'people on the field' is not a specific characteristic only for the Republic of Macedonia, but on the contrary, it frequently appears in the countries of the region. It is clear that the figure officially registered by the state bears different weight compared to the other assessments, nevertheless, in order to adequately meet the needs of the Roma population, these assessments should be approached in a constructive way. There are considerations that there are Roma in the Republic of Macedonia who have not been registered by the system even though they have been living for generation in the state. At the same time, there is a real problem in determining the exact figure due to the dynamic mobility of the Roma population, subject to immigration due to the bad economic situation. The population considered not included in the official statistical figures has its own birth and mortality rate trends, unregistered inflow in certain time periods, or in the previous censuses some of them declared themselves members of other ethnic groups, leading to an inadequate presentation of this segment of the Roma population. Due to the controversy around this issue in each state, especially because it can become a political instrument, the international organizations experienced in this field, recommend in the attempt to make a realistic assessment to take as relevant the value in between the two opposed figures⁵.

There is awareness that this problem causes numerous dilemmas that might often acquire an unwanted political dimension, linked to the to-date transformations of the Macedonian political system, but seen from the aspect of the practical applicability in the Strategy, the incentive to determine an approximate realistic number is of different nature. Namely, in order to realistically dimension the measures foreseen by the Strategy, it is necessary to know the population to be covered by these measures (regardless of whether the measures relate to housing, health, education and so on). Since the activities require engagement of numerous domestic, but also foreign, resources, it is very important to know the approximate volume of the potential users of these resources in order to achieve adequate efficient planning. This is the reason why the Republic of Macedonia is directly interested in determining the real number of Roma living in the state, as well as to make a more specific recording of the conditions in which they live and the needs they have.

The population that is going to be covered within the strategic priorities are the citizens of the Republic of Macedonia who personally identify themselves and declare themselves as members of the Roma ethnic community.

2. Normative framework for equality of citizens

According to Article 118 of the Constitution of the Republic of Macedonia, "the international agreements that are ratified in accordance with the Constitution are part of

⁵ Other organizations try to get the current picture on the filed through financing survey activities (like UNDP in Montenegro) and similar activities have been announced for next autumn in the Republic of Macedonia, and through them an attempt is going to be made to determine the approximate number of Roma living in this area.

cannot be changed by law." The membership of the national organizations requires respect of the obligations deriving from the international law.

Follows a list of documents on which the exercise of many rights of all citizens of the Republic of Macedonia are based, including the Roma. Some of these documents are conventions taken over by succession up to 1990, as well as conventions ratified by the Republic of Macedonia:

2.1. International documents

2.1.1. Documents of the United Nations

- International Convention of Prevention of Trade with Women and Children (1921)
- Universal Human Rights Declaration (1948)
- Convention of Prevention of Trade with People, Exploitation, Prostitution and similar (1950)
- Refugee Status Convention (1951)
- Women's Political Rights Convention (1953)
- Convention on Status of Persons without Citizenship (1954)
- Convention on Marriage, Minimum Years for Marriage and Registration of Marriages (1962)
- Convention on Elimination of all Forms of Racial Discrimination (1965)
- International Pact on Economic, Social and Cultural Rights (1966)
- International Pact on Civil and Political Rights (1966) and Facultative Protocol to the International Pact on Civil and Political Rights (1966)
- Protocol on Refugee Status (1967)
- Convention on Eliminating all Forms of Discrimination of Women (1979)
- Convention Against Torture and Other Cruel, Inhuman or Humiliating Punishment or Acts (1984)
- Second Facultative Protocol to the International Pact on Civil and Political Rights for Death Penalty Abolition (1989)
- Child Rights Convention (1989)
- Convention On Issue of Birth Certificates on Several Languages (1991)
- Vienna Declaration and Action Program (1993)

2.1.2. Documents of the Council of Europe

- European Convention for Protection of Human Rights and Basic Freedoms and Protocols 1, 4, 6, and 7 (1950 and Protocols in 1952, 1963, 1983, 1984)
- European Social Charter (1961) with Additional Protocol (1988) and Protocol amending and supplementing the European Social Charter (1991)
- National Minorities Protection Framework Convention (1995)
- European Cultural Convention (1995)
- Protocol No. 2 to the Convention for Protection of Human Rights and Basic Freedoms about competence of European Human Rights Court to give relevant opinion (1997)

Convention for Protection of Human Rights and Basic
Elements articles 29, 30 and 34 of the Convention

- Protocol No. 4 to the Convention for Protection of Human Rights and Basic Freedoms providing certain rights and freedoms different than those contained in this Convention and in Protocol No.1 (1997)
- Protocol No. 5 to the Convention for Protection of Human Rights and Basic Freedoms amending and supplementing articles 22 and 44 of the Convention (1997)
- Protocol No. 6 to the Convention for Protection of Human Rights and Basic Freedoms related to banning death penalty (1997)
- Protocol No. 7 to the Convention for Protection of Human Rights and Basic Freedoms (1997)
- Protocol No. 8 to the Convention for Protection of Human Rights and Basic Freedoms (1997)
- European Charter on Local Self-Government (1997)
- European Convention of Protection from Torture and Inhuman or Humiliating Treatment or Punishment (1997) and protocols No. 1 (1997), No. 2 (1997)
- National Minority Protection Framework Convention (1997)
- European Convention of Child Rights (2003)

Besides this list of documents, follow those signed by the Republic of Macedonia, but still formally not ratified by the Assembly:

- European Social Charter and Additional Protocol (signed on)5.05.1998)
- European Charter on Regional or Minority Languages (signed on 27.05.1996)
- Protocol No. 12 to the Convention for Protection of Human Rights and Basic Freedoms (signed on 04.11.2000)
- Protocol No. 13 to the Convention for Protection of Human Rights and Basic Freedoms (signed on 03.05.2002)

2.1.3. Documents of the OSCE

- Final Document of CSCE in Helsinki (1975)
- Final Document of the Vienna Meeting (1989)
- Document from the meeting of the Human Dimension Conference of CSCE in Copenhagen (1990)
- Paris Charter on New Europe (1990)
- Convention on Reconciliation and Mediation within CSCE with Final Protocol (1998)

2.1.4. Documents of UNESCO

- Convention on Fight Against Discrimination in Education (1977)
- Convention on Protection of World Cultural and Natural Heritage (1977)

with an obligatory effect on the legal system of the documents and recommendations for action aimed to improve the human rights situation in all its aspects.⁶

From the aspect of the Strategy for Roma in the Republic of Macedonia the following international documents are of special importance:

Copenhagen Criteria. In 1993 the European Union set the Copenhagen Criteria for the countries aspiring to join the EU. The global criteria for the candidate states, promoted in this document, should provide institutional stability that guarantees democracy, rule of law, human rights, protection of minorities; recognition and functioning of the market economy in accordance with the EU principles; as well as the capability to take over the responsibilities as members, including the commitment to political, economic and monetary principles of the EU. In this context, it is prescribed to the candidate states to include the Roma in the focus of their interest and efforts in the area of minority rights. It is important to mention that the European agreements signed with every candidate state contain the Article 6 calling for the respect of the democratic principles and human rights recognized with the Helsinki Final Act and the Paris Charter on New Europe.

Main principles adopted by the European Union in Tampere in 1999. This is an especially important document determining the basic elements to which the states candidates for membership in the European Union should pay attention. The basic accent of the document is on eliminating discrimination and racism towards Roma, as well as enabling full equality in the access and opportunities for development in each area, especially in the area of education, employment, housing, health and gender relations. This imposed a multidisciplinary approach of the state, essential to the achievement of long term sustainable and effective results. Only this way the Roma would have full and equal role in the society, together with all the other citizens of the community.

Social Inclusion Draft. The Social Inclusion Draft⁷ is among the new documents that are being prepared by the EU member states that are going to represent an obligation for the new members and the future aspirants. It covers numerous dimensions for the inclusion of all communities living on the territory of these states. The aim of this document is to impose an obligation on the states to include the principles of this document in the official policy and priorities of the state in order to produce poverty reduction and social inclusion of certain communities. In this sense, the link between the economy, employment and social measures and policies is seen as essential for the efficient resolutions of this type of problems.

The documents puts an accent on the need for a multidimensional approach to the problem of poverty and social inclusion, manifested through: long term dependency on low and inadequate income, long unemployment, inability to accumulate work

⁶ Since these documents relate to specific aspects, they are going to be commented in the priority areas given further in the Strategy.

⁷ Commission of the European Communities, Commission Staff Working Paper, Social Inclusion in New Member States, A Synthesis of the Joint Memoranda on Social Inclusion, Brussels, 22.06.2004

require certain rights, low level of education or illiteracy, disabilities, handicap or bad health condition, living in an environment that has been extremely neglected, homelessness, immigration, as well as discrimination on the basis of certain ethnic or racial belonging⁸.

The overall development of the state should be viewed in the context of social inclusion, with an accent on the interaction of the different policies to face the long term risks. Balanced development of the goals to improve the living standard, increase employment, balance public revenues and achieve successful social inclusion is preferred. It is expected that all these measures together would contribute to the reduction of poverty, as one of the priority goals.

The basic challenges identified by the member states, that are highly compatible with the measures and policies that a state should undertake in relation to the Roma, are the following:

- creating conditions to increase the labor market integration of the long time unemployed and of the risk groups that are poor and socially excluded;
- providing comprehensive social protection systems offering minimum funds that enable a descent living, but at the same time eliminate disincentive to look for work;
- developing programs for continuous education, especially of the risk groups and reducing the early drop outs from the educational system;
- improving the quality and access to public services, especially health, social services, housing and transport;
- overcoming the high level of social exclusion and discrimination, especially of certain ethnic groups, like the Roma, but also of other risk groups like people living in institutions and people with special needs;
- strengthening the policies supporting the family, the social networks and the protection of the rights of the children

Effective policies and programs should be developed in order to meet the expressed challenges and to establish mechanisms and procedures that would help in the coordination and inclusion in the main streams of the society. This is going to be realized through concrete actions, mobilization of all the actors and provision of effective implementation of the policies.

The successful social inclusion depends directly on:

- timely planning of activities and their inclusion in the national budget, taking into consideration the budget priorities and possibilities;

⁸ The document states as additional risks for the increasing poverty: labor market restructuring in view of globalization; rapid growth of information technology; aging of the population; increased level of dependency of different social programs; changes in the household structure; industrial and agricultural restructuring; additional reduction of chances for employment for certain category of workers, especially those who do not have special skills and the older ones; existence of passive rural areas that perpetuate unemployment and represent a possible immigration risk.

- measures to support these priorities among the social
- providing implementation and monitoring of the policies that are going to be applied;
 - provision of support to networks in the society and to the families, communities and citizens organizations working in this direction;
 - making a clear division of competences among the national, regional and local authorities;
 - collecting relevant statistical data regarding the most vulnerable categories not sufficiently covered by the measures up to now;
 - assessment of the policies and programs, as well as developing indicators to show the multidimensional nature of the social exclusion and the neglect of certain rights of low income groups.

2.2. Domestic Normative Frame

Through building highest standards of human rights respect in its legislation, the Republic of Macedonia has presented itself as a political system that shows openness and acceptance of the modern democratic processes. In this sense the new Constitution of the Republic of Macedonia of 2001, in its preamble explicitly states the Roma people among the other peoples living in the state as the carriers of the independence and sovereignty of their common state. More concretely, *"The citizens of the Republic of Macedonia, the Macedonian people, as well as the citizens living within its borders who are part of the Albanian people, the Turkish people, the Vlach people, the Serb people, the **Roma people**, the Bosniac people..., undertaking the responsibility for the present and the future of our fatherland, , equal in their rights and obligations towards the joint good-Republic of Macedonia- ... decided to constitute the Republic of Macedonia as an independent, sovereign state, with the aim to establish and strengthen the rule of law, to guarantee the human rights and freedoms, to provide peace and coexistence, social justice, economic well-being and progress in their personal and community life... ."* With the previous, and now with the new Constitution, the Republic of Macedonia is the first state where the Roma are mentioned and constitutionally recognized as constitutive peoples. In accordance with the existing provisions, they are equal in their legally guaranteed rights and obligations to all the other citizens of the Republic.

Besides the basis provided in the preamble, the text of the Constitution stipulates the basic human rights from which derive the obligations of the state towards every citizen of the Republic of Macedonia, including the Roma, and which serve as the basis on which the other regulations build on.

Among the basic values of the constitutional order in the Republic of Macedonia is the *"free expression of national belonging, adequate and just representation of the citizens belonging to all the communities in the organs of the state government and other public institutions at all levels⁹."*

⁹ Article 8, line 2 of the Constitution, 2001

guarantees protection of the ethnic, cultural, language communities..." and "the members of the communities have the right to form cultural, artistic, educational institutions, as well as scientific and other associations to express, preserve and develop their identity"¹⁰."

The Constitutions also guarantees the right to education: "Everyone has the right to education. Education is accessible to everyone under equal conditions. The elementary education is compulsory and free of charge."¹¹ "The members of the communities have the right to instruction in their own language, in the elementary and secondary level education in the manner determined by law. In the schools where the instruction is given in another language, the Macedonian language is also taught"¹²."

The freedom of association is also guaranteed: "The citizens are guaranteed the freedom of association for fulfillment and protection of their political, economic, social, cultural and other rights and beliefs. The citizens can freely form associations of citizens and political parties, to join them and leave them."¹³

All kinds of discrimination are forbidden in Article 54 paragraph 3 "... limitation of the freedoms and rights cannot be discriminatory on the basis of gender, race, color of skin, language, religion, national or social origin, property or social position."

The specifics of the Republic of Macedonia lies in the constitutional position of the separate bodies and procedures providing participation and consultation of all ethnic communities in the decision making process about relevant political issues and personnel decisions.

For this purpose the Assembly establishes a Commission for Relations among Communities, composed of 19 members, seven are Macedonians and Albanians, deputies of the Assembly, and one member from the deputies Turks, Vlachs, Roma, Serbs and Bosniacs. When some community does not have a deputy in the Assembly, the Ombudsman, upon consultations with the relevant representatives of these communities, proposes the remaining members of the Commission.

This body has the task to review issues in the area of relations among the communities in the Republic and gives opinions and proposals to resolve them at the Assembly. The Assembly has the obligation to review them. In case of dispute regarding the voting procedure in the Assembly¹⁴, the Commission is the body that makes the final decision, by majority votes of the members, whether a procedure is going to be initiated.

¹⁰ Article 48 of the Constitution

¹¹ Article 44 of the Constitution

¹² Article 48 of the Constitution

¹³ Article 20 of the Constitution

¹⁴ Stipulated in Article 69 paragraph 2 of the Constitution: Laws that directly affect culture, the use of the languages, education, personal documents, and the use of symbols in the assembly are passed with a majority votes of the present deputies, whereas there has to be a majority votes from the present deputies belonging to the communities that are not a majority in the RM. The dispute regarding the implementation of this provision is decided by the Commission on Relations among Communities.

of the different ethnic communities appears again as a precondition regarding the constitution of the Republic Judiciary Council¹⁵, the Constitutional Court¹⁶, as well as the Ombudsman¹⁷. In these cases the basic criteria at voting is the belonging to some community, regardless of the party affiliation.

Numerous aspects included in the Strategy are regulated by other laws and bylaws, besides the Constitution, as the most comprehensive normative act. These other laws and bylaws are going to be listed within the priorities set forth in this document.

3. The Need to Collect Relevant Statistics

In defining the goals of the Strategy and its implementation it is necessary to have relevant data regarding several aspects of the Roma life. In order to identify them as a vulnerable group facing the risk of poverty and social exclusion, there is a need of statistical indicators that would support this fact. Such data are necessary so as to obtain an objective picture of the frequency of Roma discrimination cases¹⁸.

The statistics focused on the situation of the Roma community, from the aspect of human rights protection, can be defined as a component of:

- **legislation:** as a fundamental right to be free of any racial discrimination, that should be interpreted as the implementation of the victim's right to collect statistical data about the violation of rights on the racial and ethnic basis, if such data are critical evidence proving discrimination.
- **obligation of the state:** positive obligation for the state to provide effective equality regardless of race or ethnic belonging, understanding collection, processing, analysis and use of non-personalized statistical data expressed by ethnicity.

For that purpose, it is advisable to keep a quantitative data base necessary for initial creation of a sound national policy that would later record the development trends in it. Only with good quality quantitative data all the actors (government, donors, as well as the

¹⁵ In Article 104 of the Constitution it is stipulated that the Republic Judiciary Council is comprised of seven members elected by the Assembly. From these, three who have to be renowned lawyers are elected by majority votes from the total number of deputies, whereas there has to be a majority vote from the total number of deputies belonging to the communities that are not a majority in the RM.

¹⁶ In Article 109 of the Constitution it is stipulated that the Constitutional Court consists of nine judges elected by the Assembly, and of those six are elected by majority votes of the total number of deputies, while three judges are elected by majority votes of the total number of deputies, where it needs a majority of the votes from the total number of deputies belonging to the communities that are not a majority in RM.

¹⁷ Article 77 of the Constitution stipulates that the Assembly elects the ombudsman by majority votes from the total number of deputies, whereas there has to be a majority vote from the total number of deputies belonging to the communities that are not a majority in the RM.

¹⁸ According to the international privacy protection standards, to collect statistical data to serve as indicators to assess and investigate the volume of racial discrimination in the legal criminal system, including data about racial/ethnic identity of crime victims, as well as of persons detained, accused, taken to court and convicted for different acts.

tation) would be able to be involved in defining the
of the Strategy.

It is understood that the collection of data is not a simple task, since the applied methodology and precision are frequently questioned. This is the reason why in a specific political context different actors give opposed interpretations of same data. In this sense it is recommendable to form separate bodies within the different ministries to follow the implementation of the priorities stated in the Strategy through collection of relevant data indicating the trend¹⁹.

In this sense, the competent organs should provide:

- preparation of a Public Services Manual defining the indicators necessary for a focused ethnic monitoring by departments²⁰,
- data about the employees in administration (government organs) that gives an image of different groups' representation and establishment whether there is a trend to increase the representation (improvement of the employees' ethnic profile);
- preparation of regular periodic reports about the achievements and realization of the programs and policies foreseen by the Strategy.'

In order to provide an unbiased collection of data and to protect the privacy of citizens, it is necessary to prepare a protocol to regulate in detail the procedure for collection, keeping and use of data. Certain data could be collected and systematized also in the office of the Public Attorney.

In this context, in order to provide comparability of data among the European Union member states, it is recommendable to unify the indicators with the "Laken social exclusion indicators"²¹

4. Local Self-Government as Primary Level of Strategy Implementation

Since the problems of the Roma are most acutely expressed in the context of local situation and living conditions, it is understandable that the success of the Strategy is primarily conditioned by its practical realization at local level. The planned strategic tasks are expected to get full support in their realization, especially of those local units in

¹⁹ This is the reason why in July 2000 the European Council's Directive on Equality explicitly includes statistics in the possible establishment of discrimination, thus in this sense this provision improves the future possibilities for antidiscrimination regulations, especially when there are systematic challenges of inequality. EC DIRECTIVE 2000/43, paragraph 15

²⁰ The Manual to explain precisely which data are collected, for what category of persons, how the data is compared, the methodology of collection and processing of data, how and which activities would be undertaken with them.

²¹ The Council of Europe defined these indicators, adopted by the European Union in Lisbon, March, 2000. This way the governments are provided with guides for data collection containing the ten "primary" and eight "secondary indicators" (especially for poverty and health). Even though these indicators do not provide for collection of data on ethnic grounds, yet it is recommendable to provide such data.

obligation of the local authorities.

There are more numerous Roma settlements²². In this and their implementation in the future should be an

From the aspect of legal organization of the system, Roma can exercise their rights through their elected representatives in the local organs of government, but also through the forms of direct democracy determined in the Constitution and the laws. The later provides an open possibility to use the Roma language also, deriving from Article 7 paragraph 6 of the Constitution: *"In the units of local self-government, the language and alphabet used by at least 20% of the citizens is official language, besides the Macedonian language and its Cyrillic alphabet. The use of the languages and alphabets spoken by less than 20% of the citizens in the local self-government units is decided by the organs of the local self-government units."* In this sense, the Constitution guarantees also the communication of the citizen with the institutions of the local government in his mother tongue²³.

The decentralization process, and such constitutional organization of the local self-government, determines also the adequate competences of the local government. Having in mind that the activities foreseen in the Strategy are multidimensional, by character, and frequently overlap and interlock, it is very important to keep in mind the volume of local government competences, which are the areas they refer to. More specifically, according to the Local Self-Government Law from 2002, in force after the next local elections in 2005, primary competences of the municipalities are:

- Urban and rural planning (planning, issue of permits for the construction of buildings of local importance, in accordance with the law that defines construction space and land);
- Protection of the environment and nature (measures for the protection from pollution of water, air and land; protection of the environment from noise and ionic radiation);
- Planning and management of local economic development; determination of development and structural priorities; management of local economic policy; support to the development of SMEs and entrepreneurship at local level; participation in foundation and development of local network of institutions and agencies and promotion of partnership;
- Organization and management of local infrastructure: water supply, street lights, transport, public hygiene, waste water management and so on;

²² According to the latest official data, settlements (municipalities) with the highest concentration of Roma are: Bitola 2613, Gostivar 2237, Vinica 1230, Debar 1079, Kicevo 1630, Kocani 1951, Kumanovo 4256, Prilep 4433, Tetovo 2357, Stip 2195, Skopje 23475 (from them Suto Orizari 13 342, Centar 997, Cair 3240, Gjorce Petrov 1249, Gazi Baba 2081 and others).

²³ Article 7 line 4 stipulates: Any citizen living in the units of local self-government where less than 20% of the citizens speak an official language other than the Macedonian, in the communication with the regional units of the ministries, can use any of the official languages and its alphabet. The regional units competent for these local self-government units respond in Macedonian language and its Cyrillic alphabet, as well as in the official language and alphabet used by the citizen. Every citizen, in the communication with the ministries, may use one of the official languages and its alphabet, whereas the ministries reply in Macedonian language and its alphabet as well as in the official language and alphabet used by the citizen."

protection of cultural heritage: preservation of folklore, cultural values;

- Development of sport and recreation;
- Organization and construction of facilities for social care and child care: nurseries, kindergartens, homes for old people, social care for persons with special needs; care for parentless children; for children with special educational and social needs; for children from single-parent families; for homeless people, for socially endangered individuals; addictions; raising the awareness of the public for such needs; exercise of the right to preschool children's upbringing;
- Organization and improvement of education: foundation, financing and administration of elementary and secondary education in cooperation with the central government;
- Organization, construction and maintenance of network of organizations and facilities for primary health care: management of the public health organizations network and the primary health care facilities; health education and improvement of health organizations; preventive activities; control of infectious diseases; care for patients with special needs (mental illnesses, abuse of children and so on);
- Measures for the protection and rescue of citizens and material goods from military destruction, natural catastrophes and fire.

The general impression from all the countries in the region is that the weakest ring in the strategic priorities implementation system is precisely the local self-government. In order to avoid this trend, and for the priorities not to be only declarative, it is necessary to insist that the local administration as the first level of communication with the citizens respects the principle of equal access and non-discrimination of all the citizens, including the Roma. It is necessary to provide a clearly expressed support for this by all the political actors at local and national level, regardless of whether they belong to the position or opposition. In order to achieve this goal, it is recommended to actively involve the ZELS (Community of Local Self-Government Units)²⁴ as a factor that would stimulate these processes and initiate the signing of an official document, by all of its members, with which they take this responsibility. For more efficient servicing of the citizens' needs in this sense, the local governments could:

- establish a local mechanism for achieving the strategic goals;
- determine specific budget items for specific local level interventions aimed for the Roma;
- Through previously prepared projects, actively seek resources for some strategic programs they are not able to finance, regardless of whether it is the central government that is responsible for the underdeveloped areas or other donors;
- work on creating awareness among the local population for the problems of the Roma;
- to establish citizens information centers, in the local units where they do not exist, for adequate information of citizens about the exercise of their rights;

²⁴ It is recommended to create a network of local governments with similar needs related to Roma, so as to provide exchange of information and experience in this area.

members of the Council, then to establish forms to
ing on their interests (for example, councilors of the
mayor and so on);

- all these activities to be conducted in a transparent and responsible manner.

Such engagement of the local authorities brings, also, responsibility for the Roma about the decisions and activities they undertake, representing also their active involvement. Strengthening the capacity of the Roma political representatives, as well as the civil sector, has created personnel that shows skills and readiness to be involved at all decision making levels, especially on problems and issues related to their own community. This way the local authorities will be able to identify the representatives of this ethnic community, and with their assistance and partnership, they could create successful local development strategies and policies. At the same time, the civil sector appears as a corrective in this relation, in case the local administration defaults.

The recommendation is that all measures and policies undertaken at local level for the Roma, when there are also other groups of population in the same or similar situation, are applied also to these categories of population. This is necessary in order to avoid possible negative reactions in the sense of alleged favoritism towards the Roma compared to the others.

Finally, the local authorities, besides having to play a more active role in the determination of the local needs and strategic priorities, needs to strengthen its capacity for better management, communication with the inhabitants of the municipality and development planning.

5. The Key Role of Romani Civic Organizations

In the Republic of Macedonia numerous Roma citizens' organizations have been founded during the last decade and they practically cover the whole territory of the state²⁵. The focus of their interest is diversified, so part of them, have transformed from primarily humanitarian into organizations dealing with women's issues and problems, with human and civil rights, culture, education and so on. At the same time, activists of these organizations acquired skills and training through formal and informal forms of education, creating a critical mass of people ready and able to work and deal with the challenges in their community.

Since the success of the activities foreseen in this Strategy directly depends on the level of direct engagement of people from the Roma community, especially from these citizens organizations, it is necessary, besides consultations with these organizations on different strategic recommendations and priorities by areas, to use the potentials of these

²⁵ Interesting is the fact that Roma more and more frequently associate and form citizens' organizations with the aim of helping each other and protecting their interests as a group. This trend is more frequent among the Roma than among the other ethnic groups in Macedonia.



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meaning to make them *partners* of the state, especially the organs of the local self-government²⁶.

In the work on the strategic priority it is recommendable for the organizations not to spread their activities in many different areas, more than they can cover with good quality work, but they should seriously and deeply cover limited number of activities, as much as they can realize with their current capacity and available human resources.

The motivation for work in a citizen's organization should basically contain also elements of altruism and solidarity towards their own ethnic community. Thus, greater accent should be put on the growth of the individual-volunteer who will further on be a positive example in his environment. Besides the visible economic dimension of such engagement, accent should be on the wish to help one's own community and to unselfish engagement, especially in a period when big changes are expected to happen as a result of joint efforts of the national strategic priorities and the Roma Decade. It is also necessary to overcome the ongoing immobility and personal changelessness of those holding the management functions in some of the organizations.

It is most certainly needed for the Roma activists to continue strengthening their capacity and leadership capabilities through additional tailored training. The readiness of the Roma citizen's organizations for training is especially positive, since a large segment of the members are young. The future training should cover: skillful writing of draft projects; management of project cycles; mobilization of local sources; long term planning of own sustainability as organization; skills to collect financial resources from different sources; skills to make a project budget (preparation, planning) or a financial statement; management of the organization, computer skills and so on. The training could be supported, as up to now, by foreign organizations in providing it, whereas some of the Roma organizations are already capable of providing themselves the training.

The citizen's organizations are expected to be promoters of progressive ideas on a long term basis, where the main task would be a comprehensive building of public awareness among the Roma population to overcome certain habits and traditions that hinder the further development of the community. The need for coordination and communication among themselves most certainly must not be left out. The older citizens' organization with already defined capacities should help and train the younger ones, who would create the foundations and build themselves and become part of their surrounding.

The Roma citizen's organizations are directed to cooperate with the government, besides through the bodies that are going to be established for the implementation of the Strategy, through the newly established Liaison Office for non-governmental organizations and the government. This is one more opportunity to establish a formal joint communication that would contribute to the achievement of the proclaimed goals in this sector.

3. Priority Areas

²⁶ This group includes different organizations focused on different programs and projects: citizens counseling centers, family counseling, educational centers, youth centers, clubs, refugee shelters, and so on.

For strategic action, the basic cornerstone are the experiences of the state institutions that in their everyday work meet with the current problems of the Roma population. Significant contribution in this regard have had: the experiences and research conducted by citizens' organizations and individuals; comparative experiences and already promoted Roma strategies in the countries of the region; as well as the areas that the Roma Decade participants chose as the most acute. Other aspects are added to this, those that, according to the experience, are also important for a harmonious development of the Roma community, but added are also elements that interlock with these basic selected priorities. In this sense the Strategy focuses on the following priority areas:

- Living conditions and housing
- Employment
- Education
- Health
- Social assistance and protection
- Human rights protection and the discrimination issue
- Culture
- Media
- The Roma woman and her specific problems
- Political participation

1. Living and Housing Conditions

1.1 Normative Frame

The right to housing is contained in numerous international documents imposing on the signatory states to undertake urgent activities with the aim of improving the living conditions of all persons not able to exercise their right to *adequate housing*, including the Roma.

With the signing of these international conventions and documents, the Republic of Macedonia like the other signatory states takes the obligation to recognize the right to adequate living standard for everybody, as well as of the family. Among them is the International Convention on Economic, Social and Cultural Rights²⁷. In the General Commentary No. 4 of this Convention, the Committee on Economic, Social and Cultural Rights of the United Nations defines the term 'adequate housing' as 'legal certainty of housing'²⁸. The Council of Europe, in the document with recommendations dated may

²⁷ Article 11 paragraph 1 reads: "The signatory states of this Convention recognize the right of every person to adequate living standard for him and his family, including adequate food, clothing and housing, and continuous improvement of the living standards. The signatory states shall undertake adequate steps to secure the exercise of this right, acknowledging the essential importance of the international cooperation based on free expression of the will."

²⁸ Housing is expressed in different forms, including accommodation with rent, public and private, community housing, rental, mastery, urgent housing, informal settlements, including take over of territory

housing means, a definition taken over from the Habitat Declaration, from Rio that in principle number 3 singles out the right to development equally encompassing the development needs and the needs for protection of the human environment for present and future generations.

The European Union in Article 31 of the Revised European Collective Agreement additionally obligates the states to provide effective exercise of the right to housing through: 1. promotion of accessibility of housing with adequate standard; 2. prevention and reduction of vagrancy with a tendency to fully eliminate it; 3. to accord the price of housing with the possibilities of those who do not have adequate economic conditions for it.

By all means the provisions of these international legal instruments determine the normative frame for the provision and protection of the right to housing in the Republic of Macedonia, even more so having in mind that our state constitutionally defines itself as a social state that takes care of its citizens without favoring specific category of population³¹.

1.2. Current Situation

Data show that the largest number of Roma in Macedonia live in urban settlements (95%), and they are more concentrated in the poorer areas (ghettos) or suburban areas. The general conclusion is that the conditions they live in are very bad, frequently under the level of the proclaimed standards for adequate housing and are being constantly perpetuated. These often are populated settlements with unclear ownership status³² outside the urban planning, do not have the basic infrastructure and the services of the state system are difficult to access. According to some assessments, about 70% of the Roma do not have ownership documents for the place they live in. The need for a more global resolution of this situation imposes itself, especially if the fact that the Roma in the Republic of Macedonia do not lead a nomad life, meaning that they have been living on locations they have populated for a long time. The problems have been identified more concretely to be:

or property. Regardless of the type of housing, all persons should have certain degree of certainty of housing that guarantees legal protection against forced eviction, abuse or other threats.

²⁹ Draft Recommendations of the Committee of Ministers of the Council of Europe on Improving Housing Conditions for Roma, Gypsies and Travelers in Europe, Group of Specialists on Roma, Gypsies and Travelers, Strasbourg, May 14, 2004

³⁰ Here the definition is wider, since in paragraph 60 under "adequate housing" does not mean only adequate shelter but more a roof over the head. It means at the same time adequate privacy, adequate space, physical accessibility, adequate security, structural stability and durability, adequate light, heating and ventilation, adequate basic infrastructure, like water supply, sanitation and waste collection, adequate environmental quality and factors linked to health, as well as adequate and accessible location in connection with work and basic services: all these elements should be physically and economically accessible.

³¹ Article 1 and 35 of the Constitution of the Republic of Macedonia

³² According to the last informal report on human rights, the citizens' organizations stated that among the Roma there are about 14,000 cases of unresolved legal property relations.

here the basic infrastructure conditions have not been provided (no electricity, water, where there is water it is bacteriologically unsafe or polluted, there is often lack of sewerage, asphalt roads, street lights, lack of regular garbage collection, as well as lack of basic urban infrastructure);

- existence of discrimination in the exercise of the right to housing of a different type³³
- conditions of substandard living with a potential risk to the health of the population;
- unorganized appearance of new settlements as a result of the lack of programs for planned and comprehensive resolution of the housing problem (most frequently populating marginal segments of the cities)
- overburdened existing utility network due to the increasing density of the population in same areas (traditional living in family communities).
- the bad living conditions represent a potential risk of riots and conflicts;
- lack of property documentation due to different reasons³⁴
- the undetermined time of stay for the Roma refugees, might additionally burden the housing problem.

This situation has been confirmed in different researches. The results of the survey³⁵ conducted in Shuto Orizari³⁶ show that: more than half of the families live with another family in a community, 2 to 5 square meters of space for one member of the family, situation found in 40% of the interviewed; over half of the interviewed did not have conditions to maintain personal hygiene (bathing); around 60% use eater in their homes, whereas the other 40% have pumps in their yards or public places; around 15% use improvised toilettes, while around 1.5% of the families do not have water at all. This difficult situation³⁷ has been also confirmed by other surveys.

³³ For example: general problems in integrating the settlements with the other urban areas, lack of possibilities to obtain ownership documents in the informal settlements, difficulties in finding rented apartment, limitation of the right to obtain social apartments, problems in providing electricity and water connections and so on.

³⁴ Due to the unresolved ownership status, but also due to the fact that Roma lack of information on the necessary procedure.

³⁵ Study Project: Vulnerability of the Roma Children in the Municipality of Shuto Orizari, Skopje, September 2000 (UNICEF, WB)

³⁶ The sample of this survey consisted of about 3100 families.

³⁷ The survey of UNICEF and the World Bank in the year 2000, related to the Roma who live in Skopje outside the Shuto Orizari settlement, shows that 30% of the interviewed families live in improvised or quickly assembled houses. 64% of the interviewed families live independently, while every fourth family shares the roof with another, namely every tenth family lives under one roof with more than two families. Half of the surveyed cases live in a space of 5 square meters per family member. Half of the interviewed cases live in a space below 5 square meters per family member, in 6-10 square meters in 34% and 16% in over 11 square meters per member. The sanitation conditions are very bad, this being confirmed by such a high percentage (78%) of families that do not have a sanitary system in their houses but have one in the yard, and of these 27% are not connected to the sanitary system, whereas 23% have septic pit. Only 6% of the interviewed families have a toilet in their house, and 16% have baths in the toilettes. 15% of the families use someone else's access to water, 59% have water in their yards, while only 26% have water in their house. Most of these settlements do not have asphalt roads, street lights and other infrastructure like kindergartens, nurseries, schools and health facilities. The survey has been conducted on a sample of 1600 families. The same research compares the situation in the settlement Shuto Orizari, during the same period, where in 47% of the cases one family lives independently in a housing space, same space is shared by two

The issue of Roma housing should not be viewed isolated, but within the general housing policy of the Republic of Macedonia. The resolution of this situation is not an easy task and requires a complex approach by the state, from the aspect of identifying the key problems and in the creation of the solutions. Successfulness assumes involvement and coordination of the institutions of government, the local authorities, and representatives of the international organizations. The solutions should be prepared in the form of plans and programs for action through which this segment of the strategy would be realized. The basis for them would be the following global goals:

- to reduce poverty, which is an essential assumption for providing human living conditions;
- to meet the needs for achievement of sustainable economic and social development, as well as environmental protection;
- integral and multidimensional approach in the resolution of the problems and coordination of the efforts (to establish a triangle of communication *housing-employment-education*);
- participation of all interested parties and their coordination in order to avoid duplicating efforts;
- creation of a realistic and sustainable financial construction;
- improvement of the housing conditions through inclusion in the urban plans of the settlements outside of them and avoidance of ghetto-ization.
- focusing on building infrastructure in Roma settlements, with priority given to settlements with larger population.

Following the aforementioned goals, the more specific priorities in the area of housing are:

- legalization of illegal Roma buildings where it is feasible and possible, with the aim of having as final result their modern urbanization;
- plans for urbanization to respect the principles of non-discrimination and anti-segregation;

families in 29% of the cases, and more than two families in 24%. In 41% of the cases each family member has up to 5 square meters, in 40% from 6 to 10 square meters, and in 19% of the cases over 11 square meters. The sanitation system is found in the yard in 48% of the cases, while 10% of the cases do not have one at all. 7% of the cases have toilet in the house, and 45% a toilet with a bath and 85% of the cases are linked to the sanitation system. 3% have no access to water, meaning that they use somebody else's water, 40% have water in the yard, and 57% have water supply system in the house. The streets are 34% asphalted, partially asphalt 52%, and not at all 14%. 36% of the streets have no lights, partially or dispersed 27% and lighted 37%. Nevertheless, the data in this case show that the settlement is relatively urbanized. Lakinska-Popovska D-r Divna, Vulnerability of Roma Children in Dispersed Roma Communities in Skopje, Study project, UNICEF, World Bank, September 2000

- ship of the houses and the land the houses are build on
and lasting solutions in this regard³⁸;
- repair and dislocation of dwellings affected by natural disasters or unsuitable for living (in certain cities in Macedonia);
 - the local authorities should organize specialized training for administrative workers for their greater expert cooperativeness and efficiency in providing services to the citizens in the area of housing³⁹;
 - establishment of a fund for favorable loans or donations for the construction of dwellings or finalization of the constructions for the most endangered categories;
 - establishment of minimum standards for the construction of adequate dwelling⁴⁰;
 - construction of larger number of social dwellings⁴¹;
 - connections to the water supply and sewerage networks, as well as their inclusion in the legal collection system;
 - provision of electricity and legalization of the connections to the network;
 - asphalt streets;
 - regular garbage collection;
 - realization of educational activities about environmental protection;
 - construction of shelters for vagrants and victims of family violence;

The so defined recommendations and activities presume an adequate list of obligations also for the state:

- request to provide continuous improvement of the conditions, without any group being discriminated or excluded;
- to avoid violent eviction or other measures that cause vagrancy, when possible;
- when eviction is imperative, it should be amortized with additional measures (application of legal guarantees for the protection of rights⁴², as well as the provision of choice of other alternative accommodations);
- to enable access to certain services and infrastructure'
- to provide economically affordable housing in accordance with a determined living standard (lower price per square meter or favorable loans);
- to provide housing location;
- housing to be adequate to the cultural norms and needs;

³⁸ When legalization is impossible, it is necessary to find, through dialogue with the interested parties, acceptable solutions, complementary to the set policy for global resolution of this problem.

³⁹ The training should be organized in accordance with the principles of tolerance and non-discrimination. Work has to be done also with the local majority population in order to establish a relation of tolerance and non-discrimination with the Roma population.

⁴⁰ Plastered walls and floors, sanitary systems, technical equipment and so on.

⁴¹ Credits could be organized individually or through programs in which the local authorities are going to be involved.

⁴² In this area it is anticipated provision of enforceable court decision, so as to avoid self-will of representatives of the authorities; the whole process to be undertaken in accordance with the international standards (non-discrimination, cash or other contribution as compensation, provision of other adequate accommodation, before the start of the forced eviction activities); timely information of the involved parties about the activities to be undertaken; to view the possibility to make reference to the expropriation law, whether it enables expropriation of land for the resolution of the housing problems of the vulnerable categories.

es, focused on gradual development of the whole area.

The state should systematically follow, through regular and periodic reports, the realization of the programs and measures undertaken to improve the living conditions. At the same time, it should engage in the elimination of all those provision and practices that produce *indirect discrimination* of the Roma, independent of whether it is an activity of some state organ or some other nongovernmental actors.

Another important issue that imposes itself in a practical sense is the manner in which these priorities are going to be resolved in times of local government decentralization. This is especially important since programs for the urbanization of the Roma settlements in the general and detailed urban plans have to be enacted, as an attempt to meet the stated needs. The recommendation of the OSCE is for the states, in conditions of unresolved legal status⁴³ of the Roma settlements, to establish mechanism and institutional procedures to clarify and resolve the issues related to ownership rights, in order to finally regulate their status.

To foresee in the urban planning, where needed, new locations for housing of the neglected categories of population. The criteria for the choice of these locations should be: number of persons and existence of secondary infrastructure (water supply, electricity and sewerage), approximation of the needed state services and public transport. They have to be located in areas with adequate conditions for such purpose and to be in accordance with the legal solutions. It is the task of the state and/or the local authorities to provide locations for this purpose from the land in their ownership. These locations should be accessible and easily integrated with the other settlements.

The water supply and sewerage problems represent a priority that should be given special attention⁴⁴. Construction of water supply systems and sewerage should be made possible in the settlements that are going to be included in the urban plans of the municipalities⁴⁵. Parallel to this, the representatives of the Roma community should be trained to manage and maintain these systems. In order to react to such activities, the municipalities where there is concentrated Roma population should show efficiency in the preparation of the master projects, provide construction permits but also help the communities gather the necessary permits and documentation⁴⁶.

Having in mind the big efforts necessary in the urban planning area, it is evident that the Republic of Macedonia does not have the financial and economic power to realize the stated priorities on its own. The recommendation is for the foreseen work plan to be

⁴³ Non-inclusion in the urban plans, lack of legal citizenship documents, even though they have been living in the country for decades.

⁴⁴ Infectious diseases appear, derive from the lack or insufficient use of good drinking water, from inadequate disposal of waste and sewer water, inadequate dislocation of solid waste and insufficient culture and awareness of the people about health and hygiene.

⁴⁵ Regardless of whether it is lack of organized and controlled disposal of sewer water or the sewer waste water is being conducted on the surface.

⁴⁶ Water supply, construction, as well as analysis of the quality of water to be used.

cial construction, where the state⁴⁷ has the right to this type of activities. More participants and donors can be involved in the realization, and they should clearly define their responsibility in accordance with the prepared plan.

The public institutions that could be involved in this sense are the Ministry of Transport and Communications, the Bureau for Underdeveloped Areas, Environmental Fund, the local authorities, public utility companies, but also foreign donors. For that purpose, the Ministry of Transport and Communications should plan special items in the budget to stimulate affirmative action of the local authorities, in the direction of undertaking activities in this domain that are necessary for the Roma community.

The Roma settlements could also be given the status of underdeveloped areas, since this could bring them certain alleviations and benefits (tax exemptions, favorable conditions for construction and so on).

1.4 Initial Activities

The realization of such activities presumes provision of precise information about each settlement; demographic data and record of existing needs. It is good to determine in advance the settlements on which these activities are going to focus, having in mind the stated data about each of the settlements.

One of the important tasks of the newly elected local authorities, in the first two years of their mandate (2005 and 2006) should be to prepare a DUP (Detailed Urban Plan) of the municipalities, and in that framework review the Roma settlements. This obligation should efficiently be fulfilled through coordination between the Ministry of Transport and Communications and the future local relevant services. The solution to this problem coincides with the planned reforms in the cadastre service, as one of the identified priorities for more dynamic economic development, supported by the World Bank⁴⁸.

The resolution of the infrastructural needs should start with the legalization and inclusion of the settlements in the DUP, and later followed by the opening of some public services (kindergartens, schools, ambulances and so on) according to the number of the population in the settlements and the planned assessment of the needs.

Management teams would have to be engaged for each project, and provide in them participation of the Roma, representatives of the local authorities, the private sector and the affected NGOs, as well as of the central government. This means undertaking additional activities, and different partners of the state are going to be involved in the realization:

⁴⁷ Lobbying with the aim of stimulating donations, domestic and foreign, possible own participation or participation of the municipalities or the government, review possibilities for crediting, and so on.

⁴⁸ Through legalization of the property that at the time have the status of illicit constructions, the Roma would be able to increase their creditworthiness before the banks.

assistance, in accordance with the current normative

- provision of access to information;
- provision of transparency and control mechanism for the overall process;
- monitoring and implementation of the housing policy⁴⁹
- to prepare a supplement to the national ecological plan for the Roma communities through coordination between the Environment Ministry and the municipal urban planning councils.

Mid-term indicators for progress in this area should be:

- constructed water supply systems (sustainable approach to clean water);
- constructed electricity supply systems in the settlements;
- constructed sanitary systems;
- urbanized settlements (asphalt roads, street lights, waste baskets, renewed side walks and so on);
- regular collection of waste and hygiene maintenance;
- increase of the housing fund;
- increase of the number of persons living in houses with sewerage and bathrooms;
- increase of the square meter housing space per inhabitant;
- increased number of issued property documents;
- constructed dwellings for vagrants and the poorest.

Long term indicator of the progress in this area would be legalization and complete urbanization of a significant portion of the Roma settlements in the Republic of Macedonia, as well as improved housing conditions.

2. Employment

2.1. Normative Frame

Several documents of the Council of Europe, the Council of the EU and of the United Nations contain recommendations related to the economic empowerment of the population that can be applied to the Roma community⁵⁰. This is the reason why these recommendations have been taken into consideration in the preparation of the Strategy.

⁴⁹ All these projects should provide for a monitoring system for the very beginning. The monitoring would relate to: timing, distribution of resources, output (results) and the influence of the program on the planned goals.

⁵⁰ Council of the European Union, Council Directive 2000/43/EC, Of 29 June 2000, Race Relations (Amendment) Act 2000 and the EC Article 13 Race Directive; Council of Europe, Committee of Ministers, Recommendation Rec (2001) 17 on improving the economic and employment situation of Roma/Gypsies and Travelers in Europe, Adopted by the Committee of Ministers on 27 November 2001; Council of Europe, MG-S-ROM (99) 5 rev., Economic and Employment Problems Faced by Roma/Gypsies in Europe; Situation of Roma in the Candidate Countries: Background Document; Guiding Principles for Improving the Situation of the Roma Based on the Recommendations of the Council of Europe's Specialist Group of Roma/Gypsy and on the recommendations of the OSCE High Commissioner on National Minorities, International Covenant on Economic, Social and Cultural Rights (Art.6)

of Macedonia in the segment on economic, social and to work, the free choice of employment, protection at work and material assurance during temporary unemployment⁵¹. It also guarantees access to any position under equal conditions⁵². The detailed exercise of the rights of employees and their position is regulated by law and the collective agreements⁵³.

Important in this context is also the Law on Employment and Insurance in Case of Unemployment⁵⁴ stipulating the following social measures: cash compensations in case of unemployment; increase of employment opportunities (right to training and so on), as well as health protection.

The Trade Law from 2004 acts also in this direction. Even though this law is considered to facilitate the small company registration, yet it does not amortize the practical problems of the Roma⁵⁵.

Every initiative in the direction of reducing unemployment in the Republic of Macedonia is linked with the Poverty Reduction Strategy, as well as with the other programs⁵⁶ coming from the relevant ministries.

2. Current Situation

The lasting unfavorable economic trends in the Republic of Macedonia that reflect on the whole population have a negative impact on the standard of a significant number of citizens, causing their great impoverishment. The main problem that comes as a consequence of this trend is the great unemployment that besides staying at the same level for years now is still felt stronger among the Roma. Having in mind the existing trends indicating that employment of Roma could improve, only when the state starts more general positive economic movements, there is a need to involve all the relevant social entities and potentials with the aim of forming, through joint effort, a special strategy for reduction of Roma unemployment, as one of the most acute existential problems of this population.

The fact that large portion of the Roma looking for work still do not have the necessary level of education in order to be more competitive on the labor market makes the situation of the Roma population even more unfavorable. Official data show that in the year 2000 from the total number of unemployed registered in the Employment Agency of the Republic of Macedonia 4% were Roma, of these one half have incomplete elementary education.. In the same year approximately for each officially employed Roma there were

⁵¹ Article 32 paragraph 1 of the Constitution of the RM, 2001

⁵² Article 32 paragraph 2 of the Constitution of the RM, 2001

⁵³ Article 32 paragraph 5 of the Constitution of the RM, 2001

⁵⁴ Official Gazette of the Republic of Macedonia No.37/97, 25/00, 101/00, 50/01, 25/03 and 37/04.

⁵⁵ First of all the level of profit not guaranteed through sales of goods on counters is too low to stimulate them to register and pay the contributions. On the other hand, if they register they lose the benefits deriving from their status of unemployed person.

⁵⁶ For example the program to reduce informal economy initiated by the ministries of labor, economy and finance.

compare the total labor force according to ethnic structure, the Roma are the highest percentage of unemployed persons, always over 70% compared to the other groups who in that period registered unemployment of around 30%, and up to 49% (See Annex Table 2). This situation is confirmed with the 2002 census where one can see that the Roma are the group that is most affected by unemployment, with an unemployment rate over two times higher than the rate at national level (78.5% compared to the national average of 38.1%).

The 2003 statistical data from the Employment Agency register a total of 395,236 unemployed, and according to the ethnic composition 67% are Macedonians, 21% are Albanians, **4.3 Roma** and 4% Turks. More specifically, among the Roma who have status of unemployed, according to the education structure, 33% have not completed elementary education.⁵⁹ From the remaining 67%, the largest portion⁶⁰ has only elementary education, while 7% or 1 201 persons have a trade or have completed secondary education. Only 0.1% or 31 persons have higher education.

The last report of the Employment Agency dated 31.05.2004 shows a total of 395,693 unemployed persons, of those 17,177 (or 4.3%) are Roma, of those 7212 are women. (See review of unemployed Roma according to the level of education in Annex table 3). As it is expected, the largest number of unemployed Roma are registered in Skopje (5987), then Prilep (1962), Kumanovo (1666), Bitola (985), Stip (876), Kocani (820), Gostivar (737), Kicevo (616) and Tetovo (542). Evident is the average lower level of education of the women compared to the men⁶¹.

Opposite to these data, the Roma citizens' organizations claim that in reality, due to non-comprehensive record keeping, this percentage is in fact even higher (95%) and differs significantly from the official one.

In the transition process in the countries of the region, and in the Republic of Macedonia, the Roma usually were the first who lost their jobs and who have the least chances of finding new ones. The main problem lies in their difficult re-entrance on the labor market⁶². In principle the Roma live "from one day to the next" with the earned money,

⁵⁷ 3558 employed persons compared to 9776

⁵⁸ In 1998- 74%, in 1999-71% and in 2000-73%. In 2001 the unemployment in the country was assessed to be around 40%, this assessment for the Roma is again up to 70%.

⁵⁹ 58% are men and 42% women

⁶⁰ 93% or 15 949 persons

⁶¹ The share of women in the total number of persons looking for employment, but have not completed elementary education is 44% (of the total number of 5455 persons, women are 2424) compared to the group of persons who have completed elementary education, where women are 40% (from 11716 women are 4786).

⁶² The research conducted by the Social, Political and Legal Research Institute in 2004 on the needs of the Roma economic forum shows that: 44% of the Roma live on social assistance, 30% on personal income, 22% on "other sources" and 4% on retirement pension. In 39% of the cases no member of the family works, whereas in 40% of them only one member works. Nevertheless, when the survey was conducted 77% of the interviewed state that they "work." This type of work covers selling on counters (31%), "other, different" 25%, offering services 8%, in production 7%, in shops 4% and craftsmanship, hygiene maintenance and drivers, waiters and so on. Around 20% of this group formerly worked in the state sector, and other 12% in

ould include them in the legal trends of the state and ts. This picture is supplemented also with the social safety net that covers the minimum needs of those receiving it, stimulating the operation of the gray economy. This way the beneficiaries of assistance acquire the social benefits dependency psychology, making more difficult their entry on the regulated labor market.

The low level of education determines that most of the Roma do the lowest and least paid jobs, usually physical work that currently is very difficult to find, since the offer of labor force is big. In such crisis conditions, the tightened education criteria for employment, marginalizes even more the Roma. Namely, in spite of the fact that there are Roma with completed secondary education, who could work in some positions in the state administration, they are still on the waiting list of unemployed in the Employment Centers, fact that has a discouraging effect on the others to continue their education. The reason for the unemployment is partially found in the Roma themselves who do not know how to inform themselves about possible employment at the competent official institutions⁶³. In general, the chances for new employments are reduced to a certain extent due to the present discrimination by certain employers.

The position of the Roma is that the politization of the society has been present since 1990. This situation is reflected in all spheres, and with that in employment, which is controlled strictly by the parties and this makes the Roma feel even more deprived⁶⁴. As far se the employment of Roma in the state administration is concerned⁶⁵, they still consider that employment in the state apparatus is subject to party influence and politics, as well as to the domination of certain preliminary agreements in accordance with the Framework Agreement or political affiliation, instead of real qualifications of the employment candidates.

We should mention in this context the share of the Roma woman in the labor process since she is currently trying to do the traditional family obligations which are part of the Roma family, but be also economically active, even though most frequently it is outside

the private. 23% of the interviewed stated that they have pension insurance, and 63% health insurance. Every second interviewed (50%) considers than when applying for jobs they are not treated equally on the grounds of ethnic belonging, 14% due to the level of education, and 21% consider they are equal. Nevertheless, 45% of the interviewed consider they do not need to learn to work with computers. 9% of the interviewed learn English and so on. Data have been taken from the publication in the Roma Economic Forum, held on March 25-26 , 2004 in Skopje.

⁶³ The comment of the Employment Agency is that the Roma do not know their own rights, in the sense that they do not know that if they complete some form of education they should go and register, buy a work registration card, and so on. Nevertheless, there are cases of misinterpretation of the Law by the Employment Bureaus considering that Roma who have not completed their primary level education do not have the right to register in the bureaus.

⁶⁴ The Roma consider that "when there is voting, promises come from everywhere and people are made political instruments, and after that nothing comes out of the promises." The Roma are disappointed from the Roma in government, since it is considered that they do not care much for the current problems of the other Roma. (Focus Group comprised by Roma for the needs of the project "Social Assessment of the Health System in the Republic of Macedonia", Institute for Social and Political Research" Skopje 2004).

⁶⁵ According to the conclusions of certain focus groups

economy. The opportunity for education of women, opportunities, do not still show a trend of improvement. Nevertheless, it is interesting to note that at the moment there are several female Roma students studying at the university.

2.3 Recommendations and Activities

The priorities in the area of employment coincide also with the tasks that the state is taking upon itself in accordance with the National Employment Action Plan (2004-2005)⁶⁶. In order to overcome the acute unemployment problem the recommendation is to adjust the basic structural characteristics, like: extremely high level of long term unemployment, high unemployment rate among people with low level of education, high unemployment among young, great regional differences in this area, the high unemployment rate especially among the Roma and other socially vulnerable groups, the low degree of labor force mobility and other.

In order to strengthen the social cohesion and inclusion of these groups (especially the most vulnerable) in the mainstream of the Macedonian society, the NAP recommend as main factors the following: access to jobs, providing an opportunity to acquire skills necessary to enter and stay in the labor market and opportunities to advance both in wages and qualifications.

The vulnerable status of the Roma needs coordinated and long term obligation of all the involved actors, as well as of the international community. Yet, the acuteness of the most vulnerable group's situation demands urgent activities expected to at least temporarily mend the situation.

In order to improve such unfavorable situation of the Roma in the area of employment, the Strategy suggests:

- reintegration in the labor force market
- programs for development of entrepreneurship
- education and training
- information

2.3.1. Reintegration in the Labor Market:

- active phased inclusion of the most marginalized Roma in the realization of certain programs (construction of communal infrastructure, construction of dwellings, seasonal work and so on);
- to increase the number of Roma employed in the state administration and local self-government by creating special programs and courses;

⁶⁶ Ministry of Labor and Social Policy, December 2003.

d on transformation of the informal into formal

The state, aiming to improve the unemployment situation, has included in the National Employment Action Plan 2004 and 2005, the basic principles for boosting employment:

- subsidies for employment, adjustment of workers' skills to the labor market demand, promotion of specialized training and re-qualification of the unemployed
- simplification of the administrative procedures for the companies, reduction of bureaucracy, simplification of licensing and promotion of new jobs in rural areas.
- reduction of disparities in employment, with an accent on reduction of regional differences and inclusion of the socially endangered groups (young people with little work experience, people who have been unemployed for a long time and the members of the ethnic minorities)

What really should be improved is the access to information of work itself, where institutions like the employment centers can do a lot within the programs already going on⁶⁷.

The general commitment in the Republic of Macedonia is to improve the representation of Roma in the state administration⁶⁸. This should refer also to the local communities where a significant number of Roma live ó to employ them in the local administration so as to have better and easier communication with the population. Nevertheless, the essential thing is to create awareness that the state should not play the role of the biggest employer in the Macedonian economy. On the contrary, this role should be taken over by the private sector that by developing may create conditions for new jobs. In this context the state can create conditions for the development of the private sector, but the private sector should also respect more the legal employment obligations⁶⁹.

Since there are significant differences in the unemployment level between regions and at local level, it is recommended that the local self-government in cooperation with the relevant services be more actively involved in the elaboration of employment programs tailored to the local needs. This policy should be multi-sector, supported, supported by the local political leaders and interested groups. The local self-government can help also by giving space, equipment, stimulating the participation of other local business and

⁶⁷ The Employment Bureau has 30 local offices, and at the moment puts special accent in its programs on ethnic and vulnerable groups. The activities consist of: building social infrastructure with the aim of engaging unskilled labor and providing qualification courses for the social cases; support to the young from 18 to 30 years for temporary employment in the municipalities where they live; preparation for employment including professional consultations for the young to find jobs, organized cooperation with the employers and provision of professional selection of the candidates needed for certain positions, and re-qualification courses.

⁶⁸ In November 2003 the European Agency for Reconstruction provided a support program covering 600 young people belonging to different ethnic communities in Macedonia (among them Roma) aimed for these people to get public administration certificate with which they could be employed in the public administration.

⁶⁹ As many of the employees complain, the private companies frequently do not pay the contributions.

The ultimate goal of these measures is to achieve full

2.3.2. Programs for Development of Entrepreneurship

One of the most useful possible solutions for reducing unemployment is to create conditions for a more intensive development of small and medium size enterprises and stimulate and support in general the entrepreneurship (with accent on self-employment). Having in mind that the Roma, as a group, are in more than one aspects in a less favorable position as far as starting their own business is concerned (they do not have the minimum start up capital, nor sufficient property to be mortgaged as a guarantee that the debt would be repaid), the conditions in these programs should be adapted to their capacities. In this sense the recommendation is:

- establish counseling centers for support of small and medium size enterprises in several regions throughout the country with the aim of developing the private initiative;
- re-training and further training (literacy also) of the interested in such type of activity, with the possibility for specially tailored programs aimed for the Roma;
- consultations, training and education on self-employment through small and family businesses, especially at local level;
- access to information to secure equal conditions for starting their own business (assistance at registration, free of charge business plan preparation, informative materials, personnel training, market possibilities analyses, advise);
- enabling micro credit lines with low interest rate, to strengthen especially the vulnerable groups with prior established risk fund where resources would be supplemented from different sources (government, international or foreign partners, citizens organizations, Roma community, and so on);
- assistance in making operation these loans (following the work in the initial phase to the end, through contacts with potential investors, consultations, networking);
- establishment of a data base useful to the providers and beneficiaries of the services, enabling also to show the development trend of the program;
- implementation of employment programs for young Roma with lower education and qualifications;
- development of entrepreneurship skills among the young (entrepreneurship education, business idea realization planning) and assistance in starting their business;
- development of special programs to stimulate employment and self-employment of the Roma women;
- providing active role of the Roma citizens organizations whose task would be to connect with the enterprises and lobby for Roma employment;
- to research whether there are Roma families interested in using the program of the Ministry of Agriculture and the Ministry of Labor and Social Policy for provision of state land for agricultural production, accompanied with the establishment of agricultural business consulting support centers;
- creation of a sound strategy for business on the basis of country's economic trends, alternative approaches for the economic development of the country.

ould be supported by the state for a longer period of time, and it is recommendable to establish a fund where all the interested donors and international development agencies would participate. A policy of passive benefits to unemployed and active measures influencing the supply and demand for employment is recommended. In order to have a successful micro crediting, there is a need for good access to information on the principle of equal opportunities for everyone, like for example, preparation of business plans and mini training on marketing and management. Parallel, the Roma should create own self-employment capacity, providing an adequate level of education or training, necessary for such activity. In practice there are already some projects, and some experience, lessons learned and recommendations could be gathered from them as a basis for the future initiatives.

The preparation of the Law on Traditional Crafts in the Ministry of Economy offering benefits to those interested to register for such activity (protection of old crafts)⁷⁰ goes in the direction of stimulating employment.

2.3.3. Education and Training

For the Roma to acquire qualifications for work (or re-training) it is necessary to enable adequate education accompanied with certain alleviations. These courses should, most certainly, be thorough and serious⁷¹, but also adequate to the market demand⁷². It is considered that the training should be accompanied by some stimulus that could be provided in the form of scholarships, or free of charge equipment and food for the pupils. Other possibilities for additional education are citizens' information centers in the cities where different innovative forms of training are conducted⁷³ (informal education).

The impression is that the training for employment is limited in the number of persons who would like to be included, meaning that the number of beneficiaries of this service should be increased. The workers universities should be included here by increasing their capacity, but also the interested citizens' organizations, Roma or non-Roma. At the same time, better coordination between the employment dynamics and the social protection should be provided, as well as of the other services and the employment agencies and the local communities.

Activities that should also be taken into account are:

⁷⁰ The conditions are that the person registered as unemployed to have certain level of education.

⁷¹ On the other hand, there are cases during the training for different craft, when the courses last long, the Roma frequently do not want to be trained since they would be economically active during that time in other ways since they have to provide for their family.

⁷² In this sense, most useful would be training for: mechanics, blacksmiths, upholstering, power installation, hairdressers, tailors, locksmiths, cable manufacturers, tinplating, musicians and wood industry crafts. There is need also for Roma nurses or home visiting nurses. The possibilities for the Roma to provide social services are also interesting, and the possibilities could be viewed also in: tourism, recreation, culture, transport, environmental protection, garbage recycling and selection, agriculture and cattle breeding.

⁷³ For example, computer skills training or learning languages.

programs for people with special needs;
• issuance of completed education certificates with the aim
of helping the unemployed on the basis of qualifications;

- training should be organized in the Roma settlements through partnership with qualified citizens organizations, the employment centers and the employees;
- the agencies to be transformed into active entities seeking work and offering training and advise;
- improving the unemployment record keeping, focused on the special characteristics of the unemployed persons and pointing out the factors that contribute to social exclusion.
- the training to be accessible to the young Roma and the Roma women;
- to train the people in the employment centers' personnel departments to respect the principles of tolerance and anti-discrimination when performing their duties.

It is also important to provide long term resources for the realization of such trainings⁷⁴ based on the concept of awareness building in the society about wide continuous education and development. It is especially important to make adequate short term evaluation of these educational programs, and when needed to be adjusted to the real needs of the labor market.

2.3.4. Information and Participation

The recommended activities in the area of information are the following:

- to inform the Roma about the legal framework (rights and obligations) at employment;
- to increase the information on opportunities offered by the centers, like re-training or further training, as well as inclusion in the list of people looking for job;
- to establish firmer and regular contacts between these centers and the citizens organizations;
- to support the foundation and further work of regional Roma information centers to increase information in the area of employment;
- to encourage Roma citizens' organizations to cooperate with the private sector to encourage Roma employment.
- to improve local information on employment following the needs for season work or engagement by the hour or week.

To provide active Roma participation through different programs that assists all these processes especially in creating policies and employment programs related to them, as well as their implementation and monitoring.

Mid Term Indicators:

⁷⁴ The areas that have been proposed by the Roma are: auto-mechanics, tile producers, nursery maids, computers, construction, cosmetics, typists, electricians, hairdressers, learning foreign languages, machine mechanics, carpenters, tailors and so on.

- increase of information among Roma about possible job opportunities;
- creating special education programs for young Roma entrepreneurs;
- increase the number of Roma involved in employment programs;
- realization of literacy courses, training and re-training;
- creating and implementing specialized programs for Roma employment.

Long Term Indicator: Increase of economic initiatives and reduce the Roma unemployment rate; reduce the ethnic differences in the employment and unemployment rates.

3. Education

3.1. Normative Frame

Education is standardized by numerous international documents and conventions. In this sense, from the aspect of the Roma Strategy, especially important documents from which derive the right to education are: Universal Human Rights Declaration (Article 26), International Pact on Economic, Social and Cultural Rights (Article 13), International Convention for Elimination of all Forms of Racial Discrimination (Article 5), as well as Convention Against Discrimination in Education of UNESCO. Nevertheless, the basic document is the Child Rights Convention (Article 28 and 29) that establishes quite high standards in the rights of the child to education. The states, signatories to this document, undertake the obligation to provide free of charge elementary education, as well as to create conditions for regular attendance.

Other documents that relate to this area derive from the European regulations, of the European Union, the Council of Europe and OSCE⁷⁵, especially the Framework National Minorities Protection Convention⁷⁶.

In the Republic of Macedonia the right to education is guaranteed by the Constitution and accessible to everyone under equal conditions. At the same time, the elementary education is compulsory and free of charge⁷⁷. The members of the communities also have the right to instruction in their own language, in elementary and secondary education, in the manner determined by law⁷⁸.

These constitutional provisions determine the foundation on which the other laws and regulations related to education build on:

- Law on Elementary Education⁷⁹

⁷⁵ With special accent on the Tampere document and the recommendation No. 4 of the Council of Europe.

⁷⁶ See attached bibliography.

⁷⁷ Article 44 of the Constitution of the Republic of Macedonia.

⁷⁸ Article 48 paragraph 4 of the Constitution.

⁷⁹ Official Gazette No. 52 2002

- Rulebook on Criteria and Procedure for Elementary Education for Pupils with Intellectual Problems⁸¹

In this area an especially important document is the Program for Development of Education in the RM from 2005 to 2015, prepared by the Ministry of Education and Science. Precisely this Program defines the mission of the Republic of Macedonia in the area of education like: *education for all through provision of educational equality; increase of participation opportunities; increase of educational, cultural and economic competitiveness of the Macedonian society.*

As the Program states, the priorities are concentrated in raising the educational level of the young and adults, with a special accent on increasing the quality of their professional/working and social competences. The implementation of the concept for continued education and training is expected to help in establishing a dynamic link between education and the labor market and the social changes. This is expected to create conditions for continuous increase, change and refreshment of the competences of the youth and the adults and enable a better starting position in the period of transition from learning to employment, keeping or changing the job.

In order to overcome and efficiently resolve the problems in education, the government of the Republic of Macedonia in 2003 decided to found a Directorate for Development and Improvement of Education in the Languages of the Members of Communities within the Ministry of Education and Science. Among other things, this body proposes and gives support to proposals going in the direction of permanent strategic resolution of this problem among all ethnic communities, including the Roma. The Ministry could, through this body, promote the changes suggested by the Roma community for issues related to the use of the Roma language and culture, as well as solutions to the specific issues of this community.

The ambition of the Ministry of Education is to create such an education that is going to focus of the individual, his/her unhindered development, development of his/her individual cultural identity defined in an ambience of multicultural environment and located in the global national and supranational context.

A Roma Education Fund has been established within the Roma Decade with the task of taking care of the sustainability of the Roma educational programs by giving priority to the non-segregated education. Following this example, it is recommended to establish such separate fund and body for Roma education in the Republic of Macedonia within the Ministry of Education, responsible for all financial, educational aspects and for all the activities, proposals and projects stated in this document.

3.2. Current situation

⁸⁰ Official Gazette 44 1995

⁸¹ Official Gazette No. 44 1995

together with employment, is considered to have the largest potential for future development of every community. The most certain path out of poverty is to stimulate, first of all, employment and raising the level of education. When these two areas are to experience a noticeable growth in a future period, then the expectation is that they would give a strong impulse to the other priority areas stated in the Strategy. Regretfully, the current situation regarding the general educational level of the Roma is quite unsatisfactory. Illiteracy and very low level of education of this category of the population continue to force the poverty coil and the related high unemployment rate (see: Annex Table 4).

The documents prepared on the occasion of the Roma Decade state that the Roma are poorer than the other population and the probability of them staying poor is far greater due to different inhibitory factors⁸². As far as education is concerned, in the countries of the region the enrollment in elementary schools of Roma children is 20-30% lower than of the non-Roma and drop out is two times higher among the Roma than among the non-Roma children.

The data in the Republic of Macedonia show that the level of unemployment is directly linked precisely to the categories of persons with lower level of education, where in 1996 the level of unemployment among persons without completed elementary school was 36.2%, among those with completed eight grade elementary education 40.2%, and among persons with completed secondary level of education 33.9%. The degree of unemployment is visible lower only in the category of persons with completed higher education (15.2%)⁸³.

Further trends show that according to the 2002 census, from the population in the Republic older than 10 years⁸⁴, 63,562 or 3.6% are officially illiterate (where among women there is 5.5% illiteracy, and among men 1.7%)⁸⁵. There are 67,358 persons without education, whereas 219,507 persons⁸⁶ with incomplete education. Nevertheless, it is a trend of decrease in the number of illiterate, when compared to the situation according to the previous census. Even though these data refer to the overall population in the Republic of Macedonia, it is considered that only one out of ten Roma children complete their elementary education⁸⁷. Other data show that 24% of the Roma older than 25 years are illiterate, and that half of the Roma women are illiterate⁸⁸. The data in the

⁸² Low level of education, unemployment, lack of family planning, living conditions, and so on.

⁸³ Former Yugoslav Republic of Macedonia, Focusing on the Poor, Volume II: Statistical Annex, June 1999, Human Development Sector unit, Country Department IV, Europe and Central Asia Region, Annex 2, table 35

⁸⁴ The number is 1,756,606 persons

⁸⁵ Source: "Utrinski Vesnik" newspaper, Thursday, May 27, 2004.

⁸⁶ Both categories represent 18% of the population above the age of 15 years. The other percentages are distributed in the following way: 35% have completed elementary education, 36.9% secondary education, while only 10% higher education.

⁸⁷ "Utrinski Vesnik" newspaper, Tuesday, April 27, 2004

⁸⁸ The research conducted by the UNICEF and the World Bank in the year 2000 shows that the researched sample presented that in principle the Roma men are more educated than the women (21% of the women have completed elementary education, compared to the 44% of men). There were 45% illiterate women,

for 2005-2015 show also an alarming trend, since the education or with incomplete elementary education at national level is around 14%, while the percentage of those with completed elementary education is 35%. This means that half of the population in the state has a low level of education or is illiterate.

It is indicative that even though completing elementary school is a legal obligation, in reality this is not respected. The drop out of Roma children, moving in a geometrical progression in the higher levels of education, can be seen in the attached data (see Annex table 5, 6, 7 and 8). It is considered that only 20% of the Roma who complete elementary education continue their education in a secondary level school. In the academic year of 2002-2003, 0.3% of the enrolled students were Roma. Compared to the previous trend this number is significant, since in absolute numbers there were 134 Roma students, this being the largest number until now.

Numerous are the reasons why the Roma educational level is so low:

- very bad social and economic situation of a large portion of the Roma families;
- large percentage of children are not enrolled in pre-school education;
- the number of children who enroll in school is lower compared to the real number of children that should be covered (enrollment is not timely and complete, in part because not every newborn child is registered);
- there are no adequate conditions for learning at home (bad housing conditions);
- not regulated citizenship of a significant number of children makes more difficult their inclusion in the process of education⁸⁹
- child labor is used in the informal economic sector;
- the network of pre-school and school institutions to accept all Roma children has not been sufficiently developed;
- insufficient knowledge of the Macedonian language when children are enrolled in first grade, and as a result they cannot follow the instruction⁹⁰;
- a large number of the enrolled children drop out during the eight year primary school education, especially after the fifth grade⁹¹;

compared to 19% of the men. Incomplete elementary education have 30% of the women, that is, 22% of the men. Among the interviewed who had 18 years of age, 16% are illiterate, while 36% of them have completed elementary education. 72% of the children regularly attend elementary school, but the figures show that after the age of 15 the number is drastically lower (only 31% continue their education).

⁸⁹ In the survey conducted in 2002, organized by the UNHCR and UNICEF in Shuto Orizari it was determined that 2.2% of the population in this municipality has not regulated its citizenship status.

⁹⁰ It is important to note that there is a language barrier that has to be overcome, especially having in mind that 80% of the Roma population in Macedonia speak as their first language the Roma. Mainly the Roma in Western Macedonia speak the Macedonian as their first language, and in Eastern the Turkish. Since the children are not sufficiently prepared and do not master the Macedonian language, the initial success in school is quite weak.

⁹¹ Since repeating the first four years is most frequently an exception and children automatically go from one year to the next, the real problem with mastering the instruction material is seen late on in the fifth grade when the type of instruction changes to learning through subjects. This is the reason why there is obvious need to pay serious attention to the first four years (more precisely the first 5 years with the zero year), so as for the Roma children to be more efficiently included in the process of education.

- management personnel and the specialized service in the
management policy, especially in schools where the Roma are a
very small minority – and this has negative impact on the quality of education;
- low level of education (illiteracy) of the parents who do not have any special motivation for their children to attend school;
 - lack of awareness about the importance of education, especially among the parents and the environment they live in;
 - the textbooks and other school equipment is too expensive for the Roma families;
 - the low success of the children has a de-motivating effect on continuing education;
 - the frequent underage marriages or other family obligations imposed on children (care for elderly and helpless people in the family);
 - as a result of patriarchal upbringing, in some Roma families and the lack of awareness about the importance of education, the female child is not motivated to go to school;
 - worse teaching conditions in schools where Roma go compared to the others, giving negative impact on the quality of education;
 - Roma children not being included in preschool instruction puts them in an unfavorable position in relation to the other children who commence school;
 - appearance of segregation⁹³ and discrimination;
 - insensitivity of some teachers and specialized services staff for the problems and needs of the Roma children;
 - existence of stereotypes for Roma;
 - lack of family planning and living in big family communities further stresses the existing problems.

There are also examples of parents who intentionally enroll their child in schools for children with light mental handicap, for them to more easily finish school and get employment. Nevertheless, it is not a massive trend. In this sense the Government of the Republic of Macedonia has established a National Coordinative Body for equal treatment of persons with intellectual problems, composed of representatives from the Ministry of Labor and Social Policy, the Ministry of Health and of experts. This body should act in the direction of identifying the category of children who can realistically be given this status and type of education, with the aim of excluding psycho-physically healthy children who, for different reasons, cannot adjust to the educational systems (like for example some Roma children).

3.3. Recommendations and Activities

Following this directions the Strategy should anticipate the long term needs of the Roma population in the Republic of Macedonia in this domain, as well as to provide

⁹² In schools where the largest portion of the school population are Roma such things are overcome in favor of the pupil.

⁹³ The Roma children are not adequately accepted in the environment where they receive education; the other children do not want to sit with them or play with them, so they usually sit alone or in the end rows; some professors do not work enough with these children; the Roma children are ashamed of their clothes, discrimination in grading has been noticed.

of the proclaimed goals. In this sense, the main goal is: to even out the quality of knowledge of Roma and non-Roma children, raise the level of education among the youth as well as of the adults, who are outside the educational system, strengthening their expert and social competences, as well as eliminating the possibility for creating new generations of uneducated persons. In this sense it is necessary to provide coordination of activities, as well as determine the types of services to be provided by the public, private and civil sector and the relations of these educational services with the strategic determinations of the state. The educational initiatives would necessarily be adapted to the current needs of the labor market and the educational profiles for which there is greater demand.

Starting from this basic priority, the main goal of the state in the next ten-year period should be to substantially increase the elementary education coverage of all Roma children of an adequate age (incredible achievement would be 90%), and at the same time successful completion of the elementary education of at least 60-70% of the enrolled. In the long run, it is going to be possible to create, through education, Roma teachers and Roma-intellectuals who would lead to further strengthening, prosperity and development of the Roma community.

Since there is awareness that the planned priorities in the domain of education would present a need for substantial resources that the state could not provide on its own, this assumes undertaking coordinated efforts involving planned and announced donations and programs. In order to successfully meet the needs in this area there is a need to rank the priorities by importance. Only this way it would be possible to avoid the danger hidden in a long list of wishes that can fog out or make impossible the achievement of the wanted effect.

The priorities in this chapter have been systematized in accordance with the levels of education in order to provide a better insight, yet this does not exclude the possibility of interlocking them, since they supplement each other:

- pre school education
- elementary education
- secondary education
- higher education

Special attention should be given to the *sustainability* and *cost-effectiveness* of certain programs that could initially function on the basis of donations, but then there is the danger of not being able to continue due to the great costs that the state would have to take over. Due to these reasons there is a need for the state, in cooperation with the representatives of the Roma community and the interested donors, to determine some *crucial priorities* that would be the strategic goal for the following period. The Ministry of Education and Science, together with the Ministry of Labor and Social Policy and the local authorities, should appear with joint programs before the foreign donors within the bilateral and multilateral cooperation.

In order to achieve full integration in the educational system, it is recommended that the Roma children get adequate educational preparation⁹⁴ (including linguistic)⁹⁵ two years before enrolling in the first grade (age between 5 and 6 years) at the level of the whole state as a policy, not as the result of isolated projects. This means that the children would be *obligated* to follow such program, starting one year before the zero year. The proposal is to learn intensively the Macedonian language, but for a short period of time⁹⁶ and to be adjusted to the needs of each group. It is recommended to provide, as a stimulus, a free meal for the children.

The priority determined in such a way implies additional class groups in the existing educational and upbringing infrastructure or in when needed construction of adequate facilities and engagement of personnel⁹⁷ to enlarge the capacity for coverage of these children⁹⁸.

In order to secure *regular attendance* to this instruction, including the teaching during elementary education, the following measures are recommended:

- to register children who do not have enrollment documents (their status is not regulated);
- Roma citizens organizations to participate directly in animating the community and parents for attendance at school, to keep records of attendance in cooperation with the state organs;
- The Interior Affairs Ministry in cooperation with the social services, the Statistical Bureau and the local self-government to keep records and follow the attendance (combining the implementation of the Law and motivational regular attendance elements);
- to initiate a wide campaign to make education more popular and animate the whole Roma community, especially through the media in Roma language;
- visit to Roma families by political leaders (Roma and non-Roma), representatives of the ministries, citizens organizations, members of Parliament and other public persons, in order to animate the public for inclusion in the education process;
- educational initiatives to go in the direction of avoiding ghetto-ization that has a negative impact on competitiveness and motivation of children;
- to apply stimulating measures (through free of charge text books and school material and/or scholarships) to motivate families to make sure their children attend school regularly;

⁹⁴ Besides learning the Macedonian language, children should develop graphic and motor capabilities, to socialize and learn other practical skills.

⁹⁵ To use also the Roma language to overcome the language barrier, and this requires excellent knowledge of the Roma language by the staff.

⁹⁶ The recommendation is three hours daily.

⁹⁷ The teachers, pedagogues, psychologists and assistants from the Roma community to mediate and facilitate this process.

⁹⁸ The forecast about the number of children to be covered by different programs to be prepared at least three months before the start of the school year.

f children from school or kindergartens, to apply the

3.2.2. Proposal of Measures for Elementary Education

Completion of elementary education is the minimum threshold that each citizen of the Republic of Macedonia should go through during his education. The obligation to complete this level of education is contained in the constitutional provisions of the state, even though the reality is not convergent to the proclaimed. Due to this the Strategy adds to the proposed measures for pre-school education measures that are applicable to elementary education with the aim of achieving the wanted effect:

- comprehensive registration of children who do not have documents for enrollment in the first grade;
- to meet the need of opening new elementary schools in Roma settlements, depending on the identified needs as a result of the demographic movements of the population;
- identification of Roma children up to eight years of age and their inclusion in regular education, following the learning program determined for that purpose;
- to enable children who have dropped out of school or have never been included in the educational process finish the elementary education through specialized programs, in groups by age;
- to translate the tests that children take in order to determine their psychological readiness and preparedness to attend first grade into Roma language (in cities where the Roma speak the Roma language);
- the children who went through preschool education to be directly included in the classes with mixed ethnic composition;
- to organize additional teaching to master the material (learning Macedonian language and work on homework accompanied with a meal);
- to introduce assistants who speak the Roma language in schools where there are Roma pupils (from zero year to fifth grade)⁹⁹
- training of teacher who work with Roma children, for efficient teaching and creating models to stimulate motivation among the children and to increase sensitivity for cultural differences¹⁰⁰;
- programs for support to teachers who are the link between the teaching personnel and the parents;
- learning Roma¹⁰¹ language or Macedonian language (depending on the need and based on previously expressed interest, according to the constitutional and legal provisions);
- promotion of clear and objective criteria for grading the knowledge of the children (not to be lenient up to the fourth grade);

⁹⁹ The aim is to facilitate entrance in elementary education in Macedonian language and mastering the elements of the Roma language. The recommendation is for the assistants to be recruited from the students at the pedagogical faculties. This initiative should be subject to annual evaluation.

¹⁰⁰ Certain citizens' organizations work on motivation of children by organizing competitions in knowledge and skills.

¹⁰¹ At the moment, facultative teaching of Roma language is being organized in one school in Suto Orizari.

nts' Council in the schools adequate to the number of

- involvement of the parents in the organization of lectures on different topics, depending on the needs (in the centers for educational support);
- promotion of educational-integrative courses for all children, where socialization and adaptation of the Roma¹⁰² would be enabled on the principle of tolerance, especially in the schools with multiethnic character;
- promotion of programs for work with Roma and non-Roma parents in the schools;
- to provide psychological and pedagogical assistance to the children and their parents;
- to organize different free activities in accordance with the interest of the pupils in organizing summer schools and camps (when possible for the Roma and non-Roma children together);
- to award scholarships for specially successful or art gifted children;
- to take positive examples of successful Roma persons and promote them among the children;
- following the needs of the educational facilities, to plan in the long run to open one more elementary school in Shuto Orizari;

In order for the children who were not included in preschool education to assimilate in the education process, it is suggested to form special groups and through them realize partial integration in the first grade. These groups would learn part of the first grade curriculum¹⁰³, and also parts of the curriculum which is the program basis in preschool education¹⁰⁴. It is suggested that this type of program model be implemented only in the first school year.

3.3.2.1. *Special Stimulating Measures*

Within the *special measures* for stimulation and support of the educational process, the following is proposed:

- to provide free of charge textbooks and other instruction materials, adequate clothing and transport to the instruction location;
- to work intensively with the children on writing homework and mastering the taught material;
- the poorest children to attend whole-day instruction where they would get free of charge meal (to include in the program all vulnerable groups where there are ethnically mixed groups or classes);
- to stimulate the families that send their children to school by allocating social assistance;

¹⁰² Certain citizens organizations have already experience in the realization of programs with children of different ethnic origin that have activities like art, music and sport with the aim of conducting the activity in a language neutral environment.

¹⁰³ This refers to the subjects: Macedonian language, mathematics, nature and society.

¹⁰⁴ Development of graphic and motor skills, socialization, working habits, hygiene and so on.

day instruction for Roma, from the first to the fourth
some other way, do obtain financial and other type of
assistance,

- teachers who work with Roma to be given adequate training on multi-culture;
- pedagogues and psychologists in schools should play a more active role in motivating the children and their families in the process of education.

Special categories are the *children and youth* who for different reasons have still not been *included or have left* the process of education. As far as this group is concerned, special effort should be made to identify them and apply a series of stimulating measures and mechanisms for their return to this process. For this purpose, a flexibility in the program has to be shown in the implementation of these measures as far as different age categories of children are concerned, so as to group them more efficiently to master the curriculum.¹⁰⁵ These support measures may be in the form of free of charge courses, awarding scholarships or assistance (from school material to small economic assistance for a period of time so that the beneficiary could dedicate more to learning, instead of surviving economically, and special flexibility for the most successful pupils). The carriers of this educational activity are the workers universities or other specialized agencies offering training and re-training. The age limit for this category is set at 15 to 25 years.

3.3.2.2 *Special Problems of the Youth*

Since the young people lack concrete state support and program, besides education, it is recommended to initiate a series of discussions in the Republic on which mainly young representatives of the Roma community would participate to formulate their priorities and needs for the future period. These activities could be coordinated also with the Agency for Youth and Sport, through which efforts would be made to identify the problems and resolve the priorities.

For this purpose it is recommended to establish *youth centers* in the places settled with Roma. The activities of these centers would be directed towards: creating conditions for adequate psychological and social development of the children and the youth from the economically underdeveloped areas; strengthening the capacity of the local communities for resolving the problems of the young people; creating a network for cooperation among the Roma youth and other citizens organizations; a better involvement of the parents in the program activities; education programs for the prevention of addiction and sexually transferable diseases; realization of programs for active leisure time- animating and raising the level of information and the level of culture among the young people; initiatives to develop sport; organization of educational environmental protection programs.

3.3.2.3 *Special Measures for Adults*

¹⁰⁵ In case a need arises in the practice, some corrections could be made to the Law on Elementary Education.

ion represent another category of people who should be included again in the education process. This aim requires another type of adapted programs. The Roma women are especially important in this group; they would have the opportunity of completing their education or gaining literacy. For the needs of this category it is recommended:

- to work on reducing the illiteracy rate, where becoming literate would have the character of a government program aimed to the overall population, especially the Roma;
- the Ministry of Education to simplify the procedure for acquiring elementary education;
- to promote the concept of continuous education and acquiring new skills;
- to increase the opportunities for educational choice through the workers universities or other specialized agencies.

Among these initiatives, the Directorate for Development and Improvement of Education in the Languages of the Representatives of Communities at the Ministry of Education and Science should support the different forms of *informal education*, especially those that are aimed to provide training in certain skills, as well as programs that promote culture upbringing of the young and adult population with a special accent on the population that has insufficient education. The informal education should always aim to supplement and enrich the knowledge that is acquired through the formal education.

3.3.3. Proposed Measures for Secondary Education

The world educational trends indicate that secondary education is the lowest limit of education and qualification that each citizen should have in order to be actively included in the social and labor life. Thus, in order to follow the world trend, another strategic goal would be *gradual increase of the number of Roma who complete secondary education*, with a special accent on the female child¹⁰⁶.

The inclusion in secondary education teaching is in itself a very difficult aim for the Roma to achieve, first of all, due to the increased drop out of the Roma pupils in the higher classes. More precisely, the number of Roma pupils who want to continue the education drastically decreases at the secondary level of education. On the other hand, those who would want to continue their education face an additional problem, this being the great pressure for enrollment in secondary level schools by all ethnic communities. The results in the elementary school, as the basic formal criterion for enrollment, often represents one more barrier to the enrollment of Roma in the wanted, and especially in the attractive secondary level schools, this barrier coming out of the problems the Roma face in the elementary education¹⁰⁷.

In order to overcome the current situation, the following measures that could be incorporated in the specially designed programs are proposed:

¹⁰⁶ The mid term goal is for Roma women who have completed education to 50% above the current one.

¹⁰⁷ Like, for example, the secondary medical school.

for Roma in secondary schools

- to support the need to open professional secondary and gymnasium classes in Suto Orizari¹⁰⁸, as the largest Roma settlement in the Republic;
- to enable free of charge stay of Roma in the secondary boarding schools;
- assistance in textbooks and other learning equipment;
- scholarships for Roma pupils, especially those most talented;
- to open youth centers in Roma neighborhoods that would stimulate through their contents further formal and informal education of the youth;
- to work with the parents separately in order to stimulate female children to continue their education;
- to establish a coordination between the secondary schools and the employment centers.

It is also recommended that, when there are enough students, to conduct the instruction of the subjects of Roma language, culture and tradition in Roma language, and possible inclusion of the subject of history of the Roma, whereas the instruction of the other subjects to be in the official language¹⁰⁹. The basic elements of the Roma culture and tradition should nonetheless be included in the curriculum of all the other ethnic communities¹¹⁰, in order to overcome the negative stereotypes about the Roma among the non-Roma population. The new teaching contents in Roma language should be defined by a mixed body, composed of Roma and non-Roma, whereas additional assistance in their designing could be provided by adequate domestic and foreign educational centers in the countries where Roma population lives, or by international organizations that treat such problems. In this sense it is recommendable to give support to the Roma intelligence to publish books and other works that treat the issue of the Roma culture, language, tradition and history.

3.3.4. *Proposed Measures for Higher Education*

Since the official data again indicate that the number of Roma students is catastrophically small, Republic of Macedonia should promote a program affirming equal access and equal opportunities for the Roma students in higher education. First of all, the focus of activities is in the strengthening of the individual capacities that would result in formation of Roma professionals in different areas with the aim of them being included in the social trends. The program should motivate as much as possible secondary level students and successful completion of the university education. The following measures are proposed for that purpose:

¹⁰⁸ This idea has raised some discussions among the Roma community itself, but not from the aspect of the justification of such a move, but from the aspect of the efforts to get better quality personnel, a goal that could be more successfully achieved through interaction of the Roma in the same educational environment, instead of achieving "self-segregation" through the mostly one-nationality secondary school, as the one in Suto Orizari would be.

¹⁰⁹ Similar to the experience in some countries in the region.

¹¹⁰ In the subject of history to introduce contents about the cultural and historical traditions of the Roma.

- quotas but increasing the quota for enrollment of Roma
the recommendation is to determine each year the
faculties for which there is interest (in coordination with the state financed
universities);
- Within the supervision of the whole process, Roma Veritas, the Roma citizens' organizations, as well as an expert group from ECMI to monitor the process of possible abuse of the enrollment quotas;
 - to provide scholarships for Roma students at all the faculties and mentor help;
 - to give priority in to Roma students in the lists for accommodation at students dormitories;
 - to increase the number of Roma students enrolled in the faculties producing teaching staff in order to achieve the optimum number of trained Roma teaching staff;
 - to provide training for students at the Pedagogical Faculty on anti-discrimination in education, aimed to increase sensitivity of future teachers;
 - to create conditions to open a Roma language and culture department at the University "St. Cyril and Methodius"¹¹¹ where the language¹¹² would be subject of instruction, and not the language of instruction, and to open a study group for Roma language at the Pedagogical Faculty;
 - to stimulate greater participation of Roma in the teaching staff in all state financed universities in the state;
 - in the curriculum "Teaching Methodology" at the pedagogical faculties and the faculties producing teaching staff to introduce a special training for future teachers for work in ethnically mixed classes and with children from poor families;
 - the University Administration to be more engaged in overcoming the problems of the Roma in education;
 - to promote social activities that would push forward the interaction with students of other ethnic groups;
 - cooperation and communication of Roma attending secondary schools or students, having in mind the to date positive experiences¹¹³.

Education will show its development effects only in case all crucial factors are involved equally in this process: students, their parents, teaching personnel, the state and the citizens' organizations. Due to the complexity of the process, as well as the numerous priorities and tasks determined by the Strategy in this domain, it is necessary to involve a larger number of state institutions in order to optimize the warranted effect. The list of actors includes: schools through the principals and personnel, the planned program mediators; school inspectors, the Ministry of Education through its representative or possibly specially appointed local counselor for Roma; the Evaluation Department in the Bureau for the Improvement of Education; other relevant ministries (Ministry of Labor and Social Policy, Interior Affairs Ministry, Statistical Bureau) and other.

¹¹¹ Provision of professional bibliography, preparation of curricula, preparation of teaching personnel.

¹¹² In order to achieve standardization of the Roma language, it was decided that the Arli dialect would be used as basis for the standardization of the Roma language in Macedonia. It has been agreed to use the Latin alphabet. Conclusion at the conference of the Ministry of Education and the Faculty of Philology in 1992.

¹¹³ Numerous positive experiences in this direction could be obtained from the FOSIM-Romaverzitas program.

of different *citizens organizations*, whose evaluation may show to what extent they can be implemented and effective if applied at a wider systemic level, in accordance with the existing curricula and programs could serve as the basis for designing the methods and practices for education. Such programs have covered up to now the preschool and the elementary education, taking into consideration the active presence of other important factors, first of all, the family. In this sense, we should have in mind the experiences of the citizens' organizations (Roma and non-Roma) that compensated up to now the need for direct non-institutional work, with different categories and age groups of the Roma population. Thus, it is recommendable to review the possibilities for their future assistance in the domain of education. Since part of these organizations have already built their on capacities for further involvement and assistance to this segment, it is useful for the Ministry of Education and Science and the schools to cooperate on a partnership basis with them. The current capacity could be built on with involvement of qualified persons and new volunteers in the citizens' organizations to be engaged in the implementation of the educational programs and projects. In order to use the existing potential, there is a need to assess the financial resources needed to cover these needs, so as to determine which activity is economically sustainable and cost-effective, in accordance with the available resources for education¹¹⁴.

It is also recommended to engage in the course of the education process in preschool and elementary education *Romani assistants*¹¹⁵ whose role would be to facilitate the inclusion in the system of education and to mediate between the children, the parents and teaching personnel in the education process. The role of these assistants would be: to build a positive image of the school as an institution, and the education as a whole; individual work with children to facilitate communication with the teachers and the other environment; to provide communication, interest and attendance of parents at parental meetings; to work with parents on the importance of education; to overcome possible prejudices and stereotypes. Such engagement understands special training and upgrading of the current knowledge of the assistants, but also of the teaching personnel, so as to achieve better understanding of the ethnic specifics of the Roma and their needs. It is recommendable to involve in the implementation of the program a special team composed of a social worker, health worker or nurse, pedagogue, psychologist, logopediatrician and so on.

Special attention should be given to the *textbooks* and to the *curricula dimension* in general. Socialization and inclusion is necessary to be present in the teaching material themselves and in the textbooks, where in the values that are promoted in the textbooks and the recommended literature, instead of concentrating exclusively on the aesthetics and the literary criteria, it is necessary to have as dominant the analysis of the presented values and multicultural respect. In this context, the education on human rights could start even at the preschool education level, then through elementary to the secondary and higher education.

¹¹⁴ These are the goals of the Educational Fund for the Roma, planning to support certain activities with grants.

¹¹⁵ These can be Roma with completed secondary education or students.

incentive stimulus for constant creation of Roma personnel with higher levels of education in this domain, especially at the Pedagogical Academy in order to provide good quality teaching personnel in the future. The representatives of the Roma community also suggest employing Roma in the Ministry of Education, in the Department for development and improvement of the education in the languages of the members of the communities, as well as an advisor in the cabinet of the State Secretary of Education. Since such personnel represent still a minimum portion of the Roma population, it is recommended that those who complete their education, when possible, be employed adequately in the state administration.

After the end of the foreign support programs, a special financial support program could be developed for the Roma children by families that would want to help them and provide funds for them to acquire education. The state could also keep strict control so as to prevent physically and psychologically healthy Roma children attending classes for children with special needs.

Finally, the recommendation is to standardize the protection mechanisms against discrimination and segregation in the process of education. In this sense it is recommended to organize training that would inform the children and their parents about their legally guaranteed rights.

3.3.5 New Role of Local Self-Government

The national Strategy is determined, in the planning of the local self-government competences in the area of education, by the current decentralization process expressed in the provisions of the Law on Decentralization. Precisely these new competences of the local units are the basis for the Education Development Program 2005-2015. It is proposed in the Program to build indicators, mechanisms and quality control instruments as the basic criteria that shall determine the status of the educational institution, its benefits and responsibilities standardized at state level¹¹⁶. The Ministry of Education, on its behalf, together with the local authorities shall develop mechanisms for monitoring the situation of the children in and out of the system, as well as the active participation of all relevant entities in detection and mobilization of the children who have never enrolled or dropped out of the education process. A general revision of the teaching plans and programs is also going to be made in order to implement the concept of <educational outcome> based on competition standards and shall make efforts to support and promote the modernization of the teaching and learning. In those local units where there is Roma population, it is recommended to establish local educational funds and with their help work directly on improving the education level of this group.

¹¹⁶ In this sense, the local authorities could be able to found and maintain elementary and secondary schools on their territory, they will be responsible for partial financing of the education through local budgets, shall carry the responsibility for the quality of the educational process, shall have greater freedom in employing teaching personnel, and shall be able to enable greater participation of the interested local entities, most of all the parents.

- larger number of children covered by preschool education
- large percentage of coverage (inclusion) of children in elementary education;
- larger number of children with completed elementary education;
- existence of detailed and comprehensive records about all children covered by the system;
- increase literacy percentage;
- increased number of persons with completed professional training and re-training or completed night school (adult education);
- larger number of enrolled Roma in secondary education;
- larger number Roma youth with completed secondary education;
- better results in all levels of education;
- equivalent ratio of literate women and men from 15 to 24 years of age;
- to open, in every city where there are minimum conditions (15 pupils), a class with optional learning of the Roma language;
- increase in the number of Roma enrolled in the University;
- increased number of Roma teachers and pedagogues;
- increased number of graduated Roma.

Preparation of semi-annual and annual reports for the Ministry of Education for each school where Roma learn, later summarized in the annual national report is recommended as a favorable instrument to follow the situation.

Long-term Indicator: significant raise in the general education level of the Roma in the Republic of Macedonia.

4. Health

4.1. Normative Frame

The World Health Organization (WHO) defines health as "state of physical, mental and social wellbeing (..) and it is not only absence of sickness and weakness. (..) enjoying the highest possible health standard is one of the fundamental rights of every human being regardless of race, religion, political belief, economic and social status"¹¹⁷ More specific information on the state, as well as different recommendations can be found in the documents of the Council of Europe¹¹⁸ related precisely to the Roma.

¹¹⁷ The Constitution of the World Health Organization (WHO), adopted at the International Health Conference, New York, July 22, 1946

¹¹⁸ It is stated that the Roma have worse health status than the other groups due to: deeply rooted racism, direct and indirect discrimination, insufficient acknowledgement of the cultural difference and minority status. The comment is that they have been neglected by the state and the public health at local level. The poverty of this group, as well as the social and economical environment, the bad living and housing conditions, lack of sanitary infrastructure, mobility of the population, low level of education, culture, the citizenship problem, tribal relations and so on, are considered to be factors that generate such state and demand that urgent preventive measures are taken.

Republic of Macedonia, the right to health protection of the citizen. Maintaining and improving one's own health and the health of the others, is a right and an obligation of the citizen¹¹⁹.

More specifically, this right is made operational in the Health Protection Law¹²⁰ and its changes and amendments¹²¹, as well as the Health Insurance Law¹²². This right is exercised in the same manner and under the same conditions by all citizens of the Republic of Macedonia, including the Roma. The existing regulations stipulate six categories of persons covered by the health protection system; employed, self-employed, pensioners, social assistance beneficiaries, temporary unemployed receiving benefits through the Employment Agency and other groups. Those citizens who do not have the opportunity to be included in the compulsory health insurance, exercise their basic health insurance rights through the Program for health protection of certain groups of the population and certain diseases covering uninsured children from 1 to 18 years of age and persons older than 65 years, as well as uninsured persons regardless of their age (when not covered by any other program) are provided health protection only for treatment of certain serious illnesses (listed in the program). For the uninsured persons up to one year of age and not insured mothers, the Program for health protection on mothers and children allocates funds for pregnancy and delivery. It has to be kept in mind that these rights are exercised on the basis of a certificate issued by the regional service of the Fund where it is stipulated that there is no other basis for insurance¹²³. Thus, very small is the number of persons who have no possibility to provide health insurance. This requires greater cooperation of the relevant services (social and others, as well as of the civic sector and the local government) to help in informing and directing the citizens about the ways of exercising the right to health protection.

4.2 Current Situation

Health as a segment, as far as Roma people are concerned, shows certain specifics that differ from the general national health status picture. This specific of the Roma health status, first of all, is due to the bad social and economic situation (Roma are mainly unemployed, without regular income, affecting the quality of nutrition, lack of possibilities to maintain required diets, lack of possibilities to provide regular therapy) substandard housing conditions of the Roma (the Roma family has many members and live in small, dark and damp space, without the necessary infrastructure), lack of health insurance, insufficient primary health care (in settlements populated mainly by Roma there is a small number of medical facilities with insufficient medical personnel), low preventive protection (irregular appearance of parents when vaccination is due, irregular systematic health checks for the children and women), low level of health education and culture of the Roma population, expensive health care services and medications, specific

¹¹⁹ Article 39 of the Constitution

¹²⁰ Official Gazette of RM No. 38/91; No. 46/93 and 55/95, as well as the change 48 Official Gazette of the RM from the year 2001.

¹²¹ Law on Changes and Amendments to the HPL Official Gazette No. 10/2004

¹²² Official Gazette of the RM No. 25/00; 96/00, 50/01, 11/02 and 31/03

¹²³ According to Article 5 of the HI.

Recently they look for paramedical treatment and lose the equality of the spouses, less value attributed to the female child), discrimination in health accommodation by the health care personnel, insufficient information on health protection rights, hard physical work and environmental pollution, and so on. The most frequent diseases among the younger Roma are infectious diseases (hepatitis, enterocolitis, parasites, skin infections, TBC) whereas among the adults cardio vascular diseases, diabetes, respiratory diseases, different types of neurosis) and among the adolescents there is an increase in the incidence of diseases of addiction, especially drug abuse.

Statistics show that the Roma population in the Republic of Macedonia has, in average, a younger population compared to the average age in the country. Due to different birth and mortality rates compared to the national average, the Roma children have a greater and the older persons smaller share in their own group (see: Annex Table 9). It is evident that reproduction among the Roma is two times higher compared to the average in the Republic, but mortality of children is also two times higher than among the other ethnic groups¹²⁴. The hard living conditions¹²⁵ lead to a shorter life expectancy of the Roma compared to the non-Roma¹²⁶. This is the reason why Roma are more subject to chronic diseases.

The problem of indirect Roma discrimination in the health sector must not be neglected. It is in principle more subtle and frequently very difficult to prove¹²⁷. This situation is additionally burdened by the following elements: not regulated insurance status, the life style and mentality, lack of knowledge of the Macedonian language, doctors visits when the disease has advanced, not obeying the doctors' advise regarding nutrition, medications and hygiene.

At the same time, the transition problems that the health sector is facing in the Republic of Macedonia have severe repercussions on the Roma. The current prices of health

¹²⁴ According to the UNICEF research in 1996, less than 1/3 of the Roma mothers who expressed a wish not to get pregnant in the next 2 to 3 years used modern contraceptive methods to protect themselves from pregnancy. The same research shows that diarrhea among Roma babies is very frequently present. Even though there are no statistical data about the health of the Roma population as a whole, the information that can be found speak about chronic diseases, infections, pneumonia. Some data show that 23% of the Roma women give birth at home and the assessment is that around 4% of the newborn are not registered at all. On the other hand, 81% of the children are vaccinated regularly and 19% irregularly. Nevertheless, the situation is different in Suto Orizari, where regular vaccination is given to 90% of the children, but here also the age of the mother giving birth to her first child is 12-14 years 3%, 15-18 years 41% and over 18 years 56%.

¹²⁵ "You have cities in the Republic of Macedonia where there are improvised Roma settlements, where the members of those households or small houses, tents, trenches or whatever you want to call them, live on what they can find in the garbage containers." "You very well know how essential is the light coefficient in a room where people live, how many square meters are needed per person in a housing facility, the distance between houses, yards, access to health organizations or ambulances, regular working hours in those health organizations and similar"- statements of a focus group with Roma participants.

¹²⁶ This can be seen from the small number of Roma of the age over 40 years in relation to the general population

¹²⁷ There are cases of the health personnel neglecting the Roma patients or showing prejudices towards them; there are cases of segregation in the hospital accommodation and care.

ent are considered to be very high, as well as the situation of preschool and school age children are free of charge for an children regardless of their insurance status.¹²⁸ The interlock of the education factor with the use of free of charge health insurance is formally linked with registration in the Employment Agency, which is conditioned with completed elementary education¹²⁹. Nevertheless, in practice the Employment Agency is making efforts to meet the needs of this category of the population.

The health status of the Roma population is to a large extent in correlation with some living habits deriving from tradition:

- marriage at early age and early motherhood¹³⁰;
- large number of children in Roma families (preference for male children, tradition);
- lack of health education
- lack of education on reproductive health and gender relations;
- the habit of taking the sick children first to amateur persons (sorcerers and similar) and only when the situation worsens go to visit a doctor;
- insufficient education of the Roma women about pregnancy, care for newborn and gynecological problems¹³¹
- taboo topics deeply rooted in the tradition (for example to enter into marriage virgo intacta)

Since not all the children are included in the regular education process¹³², there is lack of systematic monitoring of their health (vaccination, examinations) and this results in certain number of these children not being included in the regular preventive program.

4.3 Recommendations and Activities

With in the implementation of the health policy, the Ministry of Health through the Public Health Program commits itself to develop improvement and standardization of the

¹²⁸ Vaccination is free of charge also for children staying in the Republic of Macedonia with the status of refugees or in asylum.

¹²⁹ Regarding health insurance, the UNICEF research showed that 56% of the Roma have the status of health insured persons on any basis, 17% have partial health insurance (meaning not all the members of the family are health insured) and 27% are not insured at all. This means that this group of persons should pay the full amount of the health services. The current social cases, the unemployed or liquidation workers have health protection that is free of charge or with minimum co-payment. These rights have been provided in most of the cases when the person has not regulated the RM citizenship or when the parent, usually the father, has not completed elementary education and cannot be registered in the Employment Center. When needed, the Social Care Center covers the expenses of the uninsured poor people. In Suto Orizari 78% of the population has health insurance, 18% are not insured and 4% are partially insured.

¹³⁰ The research of UNICEF and the World Bank in 2000 show that among the interviewed young Roma families, 41% have 3-5 children, 3% have over 5 children, while 56% have 1-2 children. The results indicate that family planning programs and other health programs are needed also in the smaller communities where Roma live. In the interviewed families, every fourth mother has less than 24 years of age.

¹³¹ The problem lies in the fact that there is no contraception culture, but the intervention comes after pregnancy has occurred.

¹³² This is often due to the frequent moving and living in other places.

public health and creating conditions and policies for especially for the vulnerable groups, including the Roma. Such equality needs systemic efforts to reduce differences in health care status and protection among:

- urban and rural environment areas;
- different social, economic, educational and other segments of the society;
- groups in unfavorable positions or with special needs compared to the other groups of the population.

Health policy, as far as the Roma are concerned, due to the complexity and different aspects of the problems that reflect on health, imposes the need for *multi-sector approach*. This means realization of certain health policies and preventive health care programs that have already been passed¹³³, related to undertaking preventive measures especially among vulnerable categories of the population, among them the Roma. Funds have been provided for these annual preventive programs and for the uninsured categories of the population. The activities are undertaken in the relevant health care institutions. The recommendation is to combine them with the priorities established in the areas of housing, education, social policy and so on. For this purpose it is necessary to create institutional coordination of the relevant line ministries and the local self-government, accompanied with continuous consultations with the representatives of the Roma community¹³⁴.

The local self-government plays special role in this process and should create health development strategies that will contain clear and specific goals, related to all citizens, but including also the Roma and their health needs. In the process of legalization of the Roma settlements, the local authorities should plan adequate health infrastructure also meaning its enlargement, better equipment, but also the opening of special health consultation centers dedicated to prevention and health education and culture. Some of these centers could provide the most elementary health care services free of charge.

Special emphasis should be given to *prevention*, as the most efficient and economically cost effective way of preserving the health of the population, frequently supplemented with educational activities. Precisely due to this, the relevant health care services, like the Health Protection Bureau and Primary Health Care Bureau, have a more stressed role in this. . This activity could encompass numerous aspects, like:

¹³³ The programs for investigation of the appearance, prevention and fight against brucellosis among people in the RM; Program for AIDS protection of the population, Program for preventive measures to prevent tuberculosis, Program for systematic medical check ups of pupils and students, Program for organization and improvement of blood donation, Program for active health protection of mothers and children, Program for compulsory immunization of the population, Program for preventive health protection, Program for health protection of certain groups of the population and certain diseases among persons with no health insurance, Program for health protection of persons with emotional disorders and diseases of addiction, Program to provide funds to cover costs of persons treated with dialysis, medications for persons with transplants and funds for chemotherapy, insulin, growth hormone and treatment of people with hemophilia in the RM, Official Gazette No.11, 2001, Art.5,617.

¹³⁴ By giving special priority to Roma doctors, if there are any, nurses or Roma students.

- introducing a compulsory class on hygiene and health care with the aim of making the children familiar with all types of infectious diseases, how they are transmitted, their easier detection, and most of all their protection against them;
- organizing health examinations for special categories of populations or for specific diseases (women, children, x-ray diagnostics and so on);
- opening special health consultation centers where health education will be organized, including marriage counseling, dissemination of informative material, holding seminars, workshops on specific topics and so on;
- realization of the commitment to increase the number of employed health care workers ó Roma.
- where needed, to impose adequate sanctions for violation of health standards.

Accessibility of the health centers is due to the fact that the Roma in Macedonia mainly live in urban areas. This, by all means, enables a more efficient preventive health care. Nevertheless, the issue of their coverage with *health insurance*¹³⁵ remains an open issue. This is made even more complex by certain legal provisions or administrative measures that make the acquiring of personal documents and citizenship more difficult, which are a precondition for the exercise of the health, but also educational rights. With the new, more liberal legal changes, it is expected for the situation to improve. More precisely, the lack of minimum formal (elementary) education among a certain number of Roma appears as an obstacle for the exercise of the right to health insurance. This is why it is recommended to facilitate the administrative procedure for the acquisition of all necessary documents, above all the procedure for administrative tax payments or documents proving residence that could be very difficult for the Roma¹³⁶ to prove. In the meantime disseminate relevant information about access to health services for those who have not yet regulated their status.

Having in mind the current economic situation, it is proposed to continue providing free of charge basic health care for *all vulnerable categories of population, including the Roma*. It is suggested as practical solution, to create a special health card for such category of persons who would have special treatment (different kind of exemptions or discounts), similar to the one provided to persons with special needs. The mechanism for providing the exercise and protection of these rights should be additionally determined. In order to prevent possible *direct or indirect discrimination* in health, in the future antidiscrimination law, provisions should be introduced in reference to health. In order to supplement the effectiveness of these provisions, it is recommended to organize special lectures for the health care personnel and for their professional associations. The attitude of the health care workers is expected to be adapted to level of knowledge of the patient, respecting their dignity, personality and confidentiality.

¹³⁵ Roma point out the problem of not every child being covered by state health care (regardless of the number of children in the family).

¹³⁶ To include in this group the refugees, asylum seekers, returnees and apatriide.

of the *Roma woman* impose the need for special

- regular and free of charge visit to the gynecologist;
- financial support to the measures related to family planning (contraception);
- to provide affordable abortion price for social assistance beneficiaries;
- to continue the patronage visit to newborns and their mothers;
- lectures and information dissemination about reproduction and sexual health;
- lectures with special emphasis on gender equality;
- lectures with special emphasis on freedom and right to choose the number of children and life style¹³⁷;
- dissemination of information about personal and health risks deriving from early marriage and motherhood;
- health care and education for women victims of family violence;

It is recommended to organize the lectures for reproductive health and sexuality for both genders equally¹³⁸.

The group of special measures for *children* includes:

- measures to reduce infant mortality;
- regular health examinations and compulsory vaccination;
- health examination for all children, not only those attending school;
- registration of not registered children;
- development of school programs to raise awareness about hygiene and hygiene habits;
- to give special attention to health protection of street children.

Other recommendations in the health care area are:

- to continue the existing health education programs¹³⁹, by adding new, with a larger coverage of people, especially children, young girls and women¹⁴⁰;
- enabling old persons to stay in homes for elderly;
- employment of Roma nurses who could more directly influence the improvement of the population's health culture (possible home visits for vaccination of all children);
- assistance in the purchase of medications and provision of hygiene products;
- to stimulate doctors working in unfavorable conditions through wages;
- to offer mobile health services in Roma neighborhoods;
- to abolish the provision on health insurance only up to the fourth child;
- provision of health care not to be based on the minimum completed formal education;
- better equipment of primary health care medical facilities in areas populated by Roma.

¹³⁷ Provision of free of charge contraceptives.

¹³⁸ Needed are programs for work with young Roma families to understand the importance of responsible parenthood.

¹³⁹ Similar to the program on hepatitis.

¹⁴⁰ Special emphasis on education on hygiene maintenance, chronic noninfectious diseases, cardiovascular, cerebral and malign illnesses.

hts to health insurance, as well as about mechanisms for their protections is also one of the priority activities. Assistance could be offered by local citizen organizations active in health education with already accumulated experience in this area. These organizations could additionally assist in the practical implementation of policies set forth in this strategy, as well as offering protection for those people not covered by the existing health care system.

It is recommended to establish a Committee to monitor the health status of Roma as an assisting body within the Ministry of Health that will follow the implementation of the health strategy (at local and national level). The Committee would have as its task to prepare regular periodic reports and would consist of representatives from the Ministry, health workers (experts)¹⁴¹ and representatives of the Roma community or citizen organizations. It is recommended to have a consultant on gender issues in the Committee in order to take into consideration the specific needs of the Roma women, which should produce specific reports on the issue.

The Roma community itself, through its representatives or through citizens' organizations, should be involved in defining, support, monitoring and evaluation of the health policy and measures.

To appoint health mediators (trained Roma from the community who will help in the resolution of the problems deriving from the cultural differences) in order to overcome the different aspects of low level of trust in the modern medical treatment, as well as to improve the communication between the health workers and Roma patients. To provide training, if necessary, with a special focus on health of children and family.

Health indicators standardized in the Bureau for Health Protection, to be collected separately for the Roma population, in order to obtain a relevant picture of the current situation and follow the further trends among this population.

All these proposed programs assume intensive involvement of health workers, as well as of their professional associations.

Mid-term indicators:

- decrease in the mortality rate of infants and small children;
- increase coverage of children by the vaccination program;
- increase the number of children born in hospitals;
- reduced cases of malnutrition;
- lower percentage of mortality of mothers at childbirth;
- more massive use of contraceptives;
- less cases of infectious diseases (including TBC and hepatitis B);
- intensification of all preventive health care activities contained in the national prevention programs;

¹⁴¹ When possible these experts to be Roma.

health protection, especially in the rural areas and

- increased number of reproductive health counseling centers;
- increased reproductive health awareness;
- increased number of communities that have health mediators;
- increased number of held seminars in one year and training for the Roma community mediators and other;
- increased number of persons with regulated health insurance;
- opening of new health care centers or reconstruction of old ones;
- new technical equipment and similar.

Long-term indicators:

- significant and durable improvement of the overall Roma health condition.

5. Social Assistance and Protection

5.1. Normative Frame

The Constitution of the Republic of Macedonia includes basic or initial provisions regarding the rights to economic and social protection. The Constitution determines the legal basis for development of a modern social state where the public, voluntary and private sector coexists and supplement each-other on the principles of humanism, social justice and solidarity¹⁴². This way, an effective guarantee of social and economic rights is provided¹⁴³. Social security and social insurance as a right of the citizens is further regulated by law and collective agreement¹⁴⁴.

"The Republic guarantees the right to assistance of citizens incapable of or ineligible for work", is the provision from where the basic right to social protection¹⁴⁵ derives. Also, the "The Republic provides special protection for people with physical difficulties as well as conditions for the inclusion in life and society"¹⁴⁶. This group of rights includes also the rights of children and minors¹⁴⁷, provided through care and protection of the family, including the rights and obligations of the parents and the children. A special obligation of the State towards orphans and children without parental care is stipulated. These rights encompass also the protection of motherhood, children and minors, including the ban of employment under fifteen years of age¹⁴⁸.

The social protection of the citizens of the Republic of Macedonia is provided through social insurance and social protection. Social insurance is a system of measures that

¹⁴² Article 8 and 35 of the Constitution.

¹⁴³ In part 2, chapter 2 of the Constitution under the title Economic, Social and Cultural Rights, the right to social security and social protection is stipulated.

¹⁴⁴ Article 34 of the Constitution.

¹⁴⁵ Article 35, paragraph 2 of the Constitution.

¹⁴⁶ Article 35, paragraph 3 of the Constitution.

¹⁴⁷ Stipulated in Articles 40 and 42 of the Constitution.

¹⁴⁸ Article 42 of the Constitution. For persons older than fifteen years but minors, the same Article stipulates the possibility for employment, but only at jobs not harmful per their health and moral.

Following risks: illness, pregnancy, old age, special needs through the system of health insurance and protection, pension and disability insurance system and the employment and insurance in case of unemployment system. These systems are financed through the contributions of the employed, and in case of insufficient funds, also from the state budget. The financial social assistance is provided through permanent financial assistance, one-time payments, social assistance and care benefits. The cash assistance scheme (provided by the Ministry of Finance through the Social Care Centers, and controlled by the Ministry of Labor and Social Policy) provides cash benefits for the determined minimum needs and child protection.

Since this area has points of contact with other areas of the life of the citizens, other laws, not directly related to social problems also apply. Due to these reasons the list of reference laws is wider¹⁴⁹:

- Social Protection Law (1997) together with the three amendments of 16/2000. 17/2003. 65/2004, which represents the principal normative basis for the social protection, non-institutional care, institutional care and financial assistance schemes;
- Family Law (1992);
- Child Protection Law (2000), Official Gazette 65 98/2000; 17/2003
- Local Self-Government Law (2002);
- Citizen's Associations and Foundations Law (1998);
- Criminal Code (No. 37/96) with amendments in 19/2004;
- Criminal Procedure Law (No. 15/97) amendments in procedure;
- Law on Criminal Punitive Measures Enforcement (3/97) amendments in procedure;
- Law on Basic Administrative Procedure (1987);
- Administrative Disputes Law (1976);

Social Protection Law determines also the right to daily shelter for homeless people, where food, daily shelter, hygiene maintenance is provided; right to daily shelter is provided also for people abusing drugs and other psychotropic substances; victims of family violence also have this right¹⁵⁰.

5.2. Current Situation

The slow transition, the bad economic situation, large number of unemployed additionally deteriorate the situation of large number of Roma in the Republic of Macedonia, as far as existence is concerned. At the same time, the slow privatization of large economic entities has led to release of a large number of employees. This has also affected the Roma holding positions that require unskilled labor. In conditions where new jobs are not created and the army of unemployed is increasing, the opportunities for new

¹⁴⁹ This requires harmonization with EU social inclusion principles, the basis for national action plans of the EU member-states.

¹⁵⁰ The Ministry of Labor and Social Policy is in the phase of opening centers aimed for persons victims of family violence, and part of them are going to be located in areas where Roma live, and care centers for children on the street.

of regular income for them.

minimum. In such conditions, the monthly social large number of Roma population is the only source

Besides regular employment, work in the informal sector (small trade, gray economy, hygiene maintenance, cleaning houses), as well as seasonal labor are considered as other main sources of income for the Roma population. According to the figures for 1996, 11.7 percent of the total number of households that are beneficiaries of social assistance are Roma¹⁵², of those the largest portion were unskilled workers. Data in 2003 show that from the total number of households in the Republic of Macedonia that receive social assistance (64,500), again, around 12 percent are families belonging to the Roma community (approximately 7,700 households)¹⁵³. This trend shows that Roma, to a large extent, become dependent of the social assistance they receive in the long run because they are unable to improve they current position. The Roma citizen organizations estimate that at the moment around 85 percent of the Roma are social assistance beneficiaries.

The comparison of things that the citizens of the Republic of Macedonia could buy in year 2000 and those they could buy in 2003 show a trend of further impoverishment of the population, including the Roma. Devastating is the fact that 29 percent of the population does not even buy the most necessary things, and another 35 percent of the citizen spend 60-80 percent of their income on food. (See Annex Table 10)

Numerous are the social problems of Roma deriving from this unfavorable economic situation: vagrancy, begging and tramping¹⁵⁴, juvenile delinquency, alcoholism, drugs, child trafficking¹⁵⁵, family violence¹⁵⁶ and so on. In one research¹⁵⁷, it is stated that from a sample of 127 children on the street all were Roma and 41 percent of them come from families not registered as living in Macedonia, and 83 percent of them are out of the education process. Most of them do not have health insurance.

It is indicative that in the 2004 Human Development Report a higher level of human development has been reported in relation to the stagnant economic situation in the state. Mainly, it is considered that this disparity is the result of the dissimilar manner and degree in turning the achieved income into human development. The *real* GDP per capita is stated to be 6,470 USD¹⁵⁸, while the human development index is 0.793¹⁵⁹. This index

¹⁵¹ denar value equal to 50 euro.

¹⁵² Expressed in absolute numbers 23,976 Roma where registered as social assistance beneficiaries that year.

¹⁵³ Data obtained from the Ministry for Labor and Social Policy.

¹⁵⁴ It is considered that 40 percent of the children at the age of 7-14 beg, of those 2 percent regularly.

¹⁵⁵ Attention should be given to the phenomenon of trade with infants. Even though this is not spoken of frequently in public, it is still considered to be present.

¹⁵⁶ According to some data it is considered that family violence is present in 27% of the Roma families (Rosh research)

¹⁵⁷ Poverty Reduction Strategy, Profile of Poverty, prof. d-r Marija Dinevska, Blagica Novkovska, Suzana Savevska, May 2002, Skopje, Macedonia.

¹⁵⁸ For comparison purposes GDP of the following countries is: Croatia ó 9,170; Polandó 9,450; Lithuania ó 8,470 and Uruguay 8,400 USD. UNDP 2003 Human Development Report, Chapter 2, page 34.

...s with mid level of human development. Regretfully, ...a, the analysis does not allow direct calculation of the human development index of the main ethnic groups. In this regard, it is only possible to analyze the correlation from which a picture can be obtained about the existing disparities as a result of the ethnic structure of the population. (see Annex 11). As it can be seen from the Table the highest level of positive correlation appears among the Roma, but it is considered not to be the result of the improved living conditions of this population, but it is mainly due to the fact that they live in areas that show a tendency to a higher increase of this index, "creating pockets of poverty". On the other hand, the *official* GDP of the Republic of Macedonia for the year 2002 is 1,859 USD.

5.3. Recommendations and Activities

The priorities of this strategy should be correlated with the reform processes in the domain of social protection covering all categories of vulnerable population, including the Roma. In this regard, the proclaimed activities should be harmonized with: "2004 Plan for National Social Inclusion Strategy¹⁶⁰" and "Convergent Strategy for Social Protections Goals and Policies" being prepared by the Ministry of Labor and Social Policy.

The proclaimed *social policy of the government* is based on the following principles:

- support to self-help or help for socially vulnerable persons and training for participation in the work processes;
- participation/inclusion in the political and economic life through their organizations and activities regarding measures of common development in the social policy;
- sustainable income that would provide minimum social protection.

Social security is the basic goal of the Macedonian social state that is being implemented through the development of social insurance and social care and protection. The reforms undertaken in the social area during 2003 are marked with legal establishment of three new social protection principles aimed to strengthen the adjustment of the Macedonian system to European and International principles:

- principle of *decentralization*, aimed towards improvement of the capacity of the authorities and the local social protection agencies;
- principle of *inclusion*, aimed to provide adequate coverage of all vulnerable categories through financial support and active participation programs;
- principle of *social protection pluralism* connected to the provision of "economy based on social protection for all" (this means harmonized activities of the public institutions, private profit organizations for care and citizens social protection organizations).

¹⁵⁹ Again, as comparison, Croatia has an index of 0.818, Poland 0.840, Lithuania 0.824 and Uruguay 0.834, UNDP 2003 Human Development Report, Chapter 2, page 34

¹⁶⁰ A strategic program defining national goals and social inclusion indicators in accordance with the best European practices adapted to the Macedonian situation.

... of a wider modernization process in the field of the social policy determined in the government program for the period 2002-2006. This strategy includes *new protection measures* for poor and marginalized persons, supporting the realizations of the following *tasks and principles*:

- to provide better access to health services also through review of the payment systems for prescription medications and other possibilities;
- to provide education for children coming from socially vulnerable families by eliminating financial barriers;
- to improve economic structure of the rural areas where the majority of the poor population lives¹⁶¹
- to improve the social infrastructure¹⁶².

Acquisition of rights in the domain of social protection faces the same problems as those found at the attempt to provide right to health protection (problems with personal documentation or with the level of education ó see Part "Health Insurance Coverage"). For this purpose, the approach to social protection on nondiscriminatory basis is again suggested, since it will show the sensitivity towards cultural differences of social assistance beneficiaries.

Social work centers, under the competence of the Ministry of Labor and Social Policy, acting as inter-municipal centers, should be given a stronger role in the collection of basic information related to the needs of the social target groups including information about the number of children that should be covered by other different measures and programs in the area of health, education and so on. This is recommended because these institutions have control over the exercise of the social rights, they resolve family problems and oversee the process of accommodation of people in social care institutions, and monitor the enforcement of punitive measures.

There is also a need for *accurate record* about the number of socially vulnerable families and persons in order to prevent possible abuse and fraud in the social funds, as a result of incorrect presentation of the beneficiary's financial situation. The suggestion is to prepare a type of "social map" of local Roma communities in order to identify their needs and determine the social services they need. At the same time, with clearly determined procedures, the recommendation is for the state to put in place parallel programs for the protection of citizens ó members of this community.

Having in mind that the current unfavorable situation of the Roma as a vulnerable group mostly affects children, there is a need of an overall and multi-sector engagement of the State and all other interested entities in the creation of programs aimed for the youngest. For that purpose, it is proposed to:

¹⁶¹ This includes roads, electricity network, communications, irrigation systems, water supply systems, and sewerage systems.

¹⁶² Schools, health institutions, cultural institutions and so on.

- social workers to cover also children on the street;
social workers supported by new legislation for
protection of abused children (specially for begging);
- increase the competences of social workers to cover also children who, for ungrounded reasons, are enrolled in schools for children with intellectual difficulties¹⁶³;
 - increase stimulating measures for families accommodating and caring for parentless children, accommodation in social protection institutions or in an educational institution to continue the education, with continuous financial assistance in order to cover all forms of protection implemented in the practices;
 - open children's socializing centers where cultural and other activities will be planned (with participation and support of citizens organizations);
 - plan an aid package at the beginning of the school year for poor families with children attending school;
 - to increase the support to citizens' organizations providing assistance to children and their families.
 - improve the care standards in institutions and increase services and support to children;
 - develop services for rehabilitation of juvenile delinquents leaving jail or special school;
 - increase awareness and promote monitoring of children rights protection.

Other strategic suggestions in this area are the following:

- bring life to areas affected by multifold poverty;
- prevention against long social assistance dependants¹⁶⁴;
- further strengthening of the State's capacity to provide social services;
- to prepare a special social program for Roma on national level;
- to stimulate intensive participation in the activities of Roma citizens organizations and specialized developments agencies;
- to stimulate the engagement of special mediators coming from the Roma environment, to facilitate the access and the implementation of the proclaimed goals;
- to intensify communication between line ministries and representatives of the Roma community (formal and informal);
- establishment of crisis centers in Roma settlements to assist poor families.

Mid term indicators:

- establishment of a Fund for support to poor families with children attending school;

¹⁶³ Rulebook for criteria and the effectuating the elementary education for pupils with intellectual difficulties, Official Gazette No.44, 1995: as social categories are considered children with physical difficulties (hearing problems, deafness, poor vision, blindness, chronic disease), intellectual difficulties (low, moderate and serious difficulties), speech problems, combined difficulties; social problems; neglected children and violent behavior.

¹⁶⁴ The awareness that self-help in a development sense will, in the long term, do more than meeting the essential needs at the moment (in fact temporary), should prevail.

assistance beneficiaries by providing employing for

- establishment of shelter centers for victims of family violence;
- establishing day centers for homeless (children and adults).

Long term indicators:

- to reduce the poverty gap in RM
- to reduce the number of the persons needing humanitarian aid, first of all basic products.

5.4. Current Situation of Roma Refugees

In the Republic of Macedonia, at the moment the refugees and asylum seekers are accommodated in private homes or in collective center in Gazi Baba (10 persons), on the basis of the Law on asylum and temporary protection that came into force in August 2003. The total number of refugees in the State by November 30, 2004 is 2,239 persons. All of them, except 26, are from Kosovo and are mainly Roma (1500), Egyptians (70) and Ashkaly (400), but also Albanians, Bosniacs, Gorans and Serbs. Of this number, 23 have obtained the status of refugees, 794 persons are under humanitarian protection, and 24 are Bosniacs recognized under the Alien Act. Other 1392 persons are in the process of defining their status. According to the law, all refugees and those granted asylum have the right to stay, accommodation, and care (this covers food, hygiene needs and similar), basic health services and education. The refugees and persons under humanitarian aid have the right to financial assistance for two years the most. Only refugees with a recognized status, persons under humanitarian protection and persons under temporary protection have the right to work under the same conditions as aliens, according to the Alien Law. Nevertheless, due to the current unemployment rate in the state, it is assumed that these people will have problems finding work. People seeking asylum are limited to work only within the accommodation center or in the places determined by the Ministry of Labor and Social Policy. Those granted asylum who are married with Macedonian citizens may apply for a temporary residence permit. The problems that arise are not due to fact that most of these people are ethnic minorities, but due to the real political situation in the region. Until the status of Kosovo is resolved, the security situation will reflect on providing permanent solutions for this population.

6. Human Rights Protection and the Issue of Discrimination

6.1. Normative Frame

The principles of equality and non-discrimination are the basic elements of the international human rights standards. These rights are specially focused on the protection of the vulnerable, marginalized, discriminated and socially excluded individuals and groups, and there should be in each state an institutionalized mechanism that would provide for their protection.

Macedonia has ratified most of the international legal instruments, such as the International Civil and Political Rights, the International Convention on Elimination of all Forms of Racial Discrimination, the Convention Against Discrimination in Education, and has adopted the Article 14 of the Convention on Elimination of all Forms of Racial Discrimination, thus enabling individuals to submit petitions before the UN Committee on elimination of such discrimination.

At the same time, in accordance with Article 118 of the Constitution, the ratified international agreements represent an integral part of the domestic legislation and are directly applied in the domestic law. There is also a constitutional guarantee of the right to submit petitions before state organs and other public services, and the right to an answer to them. The citizen cannot be held responsible for this, nor suffer damaging consequences for the positions stated in the petitions, except when with them he has committed a criminal act¹⁶⁵.

In accordance with this regulation are also the provisions of the Criminal Code of the Republic of Macedonia enacted in 1996, where discrimination is treated as a criminal act punished with imprisonment, containing more severe sanctions when the perpetrator is an official¹⁶⁶.

With the adopted legislation to date it is considered that the Republic of Macedonia covers the basic needs for protection of the citizens against discrimination. Nevertheless, the recommendation coming from numerous international organizations is for the state do adopt and implement *a separate anti-discrimination law*, and its provisions to be in accordance with the European Union's Racial Equality Directive¹⁶⁷, the Recommendation No. 7 on general policy and the ECRI¹⁶⁸ recommendation No. 3 of 07.11.2003. This is due to the fact that the current legislation does not yet regulate more specific areas. At the same time, the suggestion is to ratify the Protocol No. 12 of the European Human Rights and Basic Freedoms Convention, already signed by the Republic of Macedonia¹⁶⁹.

¹⁶⁵ Article 24 paragraphs 1 and 2 of the Constitution

¹⁶⁶ Article 137 stipulates that the person who is discriminating (revoke or limitation of certain right guaranteed by the Constitution of the RM or by a ratified international convention) would be punished with three months to three years of imprisonment. In cases when the act has been perpetrated by an official in his official capacity, the foreseen imprisonment sentence is from six months to five years. Article 417 sanctions racial and other discrimination where the basic human rights and freedoms are violated with a sentence of six months to five years. This article also covers those who persecute organizations and individuals because of their fight for equality. Imprisonment of six months to three years is foreseen for persons who promote the idea of supremacy of one race over others or instigate racial hatred and discrimination.

¹⁶⁷ 43/2000/EU

¹⁶⁸ European Center for Roma Rights with seat in Budapest.

¹⁶⁹ The Directive of the European Union of the year 2000 stipulates the implementation of the principle of equal treatment of citizens, regardless of their racial and ethnic origin. This law is obligatory especially for the states that strive for the status of EU candidate state. For this purpose, the Council of Europe opened for signature the Protocol 12 of the European Human Rights Convention that enlarges the Article 14 of the Anti-Discrimination Convention.

recommendations, the law should cover all types of discrimination. The law should be directed towards: direct and indirect discrimination, the concept of victimizing and abuse; and elements of "directing to" or "instigating" for discrimination. The state should also provide for absence of racism and discrimination in all the domains it finances, but this protection should cover also the private sector. The protection against discrimination itself should cover the following areas: access to employment conditions; professional orientation, training and re-training; employment and working conditions, including release and wages; social security; health protection; social benefits; education; access to public goods and services; housing; exercise of legal protection; political participation, including the right to vote and perform public office. In all these areas the law is directed to take into consideration the possibility of "positive action" through adoption of "specific measures to prevent or compensate limitations linked to racial or ethnic origin."

In order to be successfully implemented, this law should provide for efficient legal remedies¹⁷² in cases where there is breach of the law, regardless of whether it is an individual request, a request of a legal entity or request in line of duty. The recommendation is the burden of proof whether there has been discrimination or not, to fall on the accused. Finally, a just and adequate compensation should be provided for every person who has been a victim of discrimination.

The Assembly of the Republic of Macedonia has ratified the two facultative protocols to the Convention of Child Rights (for involvement of children in armed conflicts and for illegal trade with children, child prostitution and child pornography). The Facultative Protocol to the Convention on Elimination of all Forms of Women Discrimination is in the process of ratification. Efforts are being made to reform the Criminal Code and the Criminal Procedure Law and adopt legal regulations regarding justice for minors that would be in accordance with the international standards.

In this context it is important to mention the 1992 Law on Citizenship of the Republic of Macedonia¹⁷³ as a law of special importance for the Roma. This Law has been amended in the meantime with the Law on Changes and Amendments to the Law on Citizenship of the Republic of Macedonia in 2004¹⁷⁴ and has been accorded with the European Convention on Citizenship. These changes do represent a certain liberalization of the

¹⁷⁰ Differentiation, exclusion or limitation on the basis of gender, race, color of skin, origin, nationality, ethnic and social origin, language, religion or faith, disability, age, sexual orientation and political affiliation, ownership, birth or some other status should be forbidden.

¹⁷¹ According to the Directive, direct discrimination refers to cases when "one person is treated less favorable than any other person in a similar situation due to his/her racial or ethnic origin," while indirect discrimination would happen when "one standards, criterion or practice that seems neutral would put the persons from certain racial or ethnic origin in a less favorable position compared to other persons, except when that standard, criterion or practice is objectively justified with some legitimate goal where the means to achieve that goal are adequate and necessary."

¹⁷² Judicial, administrative, advisory or informal mediation procedures

¹⁷³ Official Gazette of RM No.67/92.

¹⁷⁴ Official Gazette of the Republic of Macedonia No. 8/2004

, both for Roma who have come to the Republic of Macedonia and for those Roma who have lived longer time in the country, from the time of SRK. Nevertheless, the living conditions of the Roma can still represent a practical obstacle to the acquisition of citizenship. The goal of the state is to resolve some of these problems within the tasks planned in this Strategy in order to finally resolve this issue also, in an "indirect" manner.

The new legal provisions¹⁷⁶ provide for the person (including those who have come to the Republic of Macedonia after its independence) to be able to acquire citizenship of the Republic of Macedonia through naturalization, under the following conditions: to be of at least 18 years of age; to have leaved on the territory of the RM legally and continuously for *at least 8 years* prior to the application; to have provided dwelling and permanent sources of income in the amount that enables material and social security under the conditions determined by law; not to have been sentences with imprisonment for a minimum of one year, in the Republic of Macedonia and in the state of citizenship; no criminal procedure to have been initiated against him/her in the Republic of Macedonia or in the state of citizenship; to speak the Macedonian language to the level of being able to communicate with others; not to have been issued a prohibition to reside in the Republic of Macedonia; the provision of Macedonian citizenship not to be of danger to the security and defense of the Republic of Macedonia; to sign an oath to be loyal citizen; to have a release from the current citizenship or proof to obtain one when given the citizenship of RM. A special Commission, established by the Government, decides on the language skills level. It is also stated¹⁷⁷ that in case the person does not have any citizenship he/she would loose only the naturalization in citizenship of the Republic of Macedonia and it would be then considered that the last enumerated condition has been met. Before the applicant submits a request to annul a citizenship of another country, the Republic of Macedonia issues a certificate that he/she would be given Macedonian citizenship if the conditions stipulated by the Law are met.

As an exception from paragraph 3 of this Article, when a foreign state does not give release, or sets conditions for release that the foreigner cannot meet, and no existential or security problems are not created for him/her and the family, he/she would be given

¹⁷⁵ The effect of such legal conditions was felt as disproportional by the Roma population in Macedonia. First of all, the high rate of Roma unemployment and the difficulties they face in getting social assistance, limited a significant number of Roma to meet the preconditions on provision of "continuous source of income." At the same time, there are Roma who have lived in Macedonia for a longer period of time but have never formally registered as residents. For them every request for a place to live was a problem because of the fact that the Roma in former Yugoslavia, as well as in many other places in Eastern Europe, frequently lived in unregistered dwellings and places with not clearly determined status. Large number of them had not had sufficient financial resources do pay 50 USD of administrative taxes to file a request. Finally, the inadequate publication of the procedures by the Government has left many of the applicants of Roma and non Roma origin without the possibility to successfully file an application within the given time period. The Government tried to explain that the applicants can prove the existence of different income, including bank account savings, payment of social assistance and statements of children, certificated by the courts, that they have been financially provided by their parents; yet, this attempt was not quite successful.

¹⁷⁶ According to Article 3 (Article 7 of the old Law, amended)

¹⁷⁷ Paragraph 3 of the same article

edonia after he/she gives a statement renouncing the

When the application for citizenship is being refused, the organ is obligated to state, in each case, the reasons for such decision taking into consideration the protection of the public interest.

Citizenship of the Republic of Macedonia by naturalization can be acquired by a person without citizenship or by a person with a recognized refugee status if it is determined that when the application was filed the person had legally and continuously lived on the territory of the Republic of Macedonia at least six years after the lack of citizenship was determined or since the status of refugee was recognized¹⁷⁸.

The citizens of the other republics of former SFRY and the citizens of former SFRY who on September 8, 1991 had a registered residence when the application for permanent residence on the territory of the Republic of Macedonia was filed and who had real and effective connection with the RM can obtain citizenship of the Republic of Macedonia if within a two-year period after the Law on changes and amendments to the Law on Citizenship came into force filed an application, and if no criminal procedure has been initiated against them in the Republic of Macedonia for criminal acts endangering the security and defense of the RM¹⁷⁹. They also have to meet the first six of the above stated conditions¹⁸⁰, meaning that they do not have to speak the Macedonian language and do not have to get annulment of other citizenships. The alien married to a citizen of the Republic of Macedonia at least three years, who has continuously resided legally in the Republic of Macedonia for at least one year may apply for citizenship by marriage, even though he/she does not meet the requirements stipulated in Article 7 paragraph 1, lines 2, 6 and 10 of the Law.

The transitional provision related to Article 14 of the Law stipulates that accession to citizenship for persons from the other Republics of the former SFRY, as well as those who after the independence had permanent residence in the Republic of Macedonia until the application was submitted and have a true and effective relation with the Republic of Macedonia may apply for citizenship within two years after the enactment of this Law (that is by March 2, 2006). The Roma who shall submit such application under this Article are not expected to meet the requirements stipulated in articles 7 and 9.

This simplified procedure is available for all those who have lived for a longer period of time in the Republic of Macedonia, among them the Roma are the second largest group. In case the authorities determine a discrepancy in the terms of the legally registered residence, then additional proof for the continuous residence in the state would be requested. Since Roma are considered to be a vulnerable group they might still face difficulties in proving the legal preconditions, especially the sources of income and

¹⁷⁸ Article 7a of the same law

¹⁷⁹ Article 14 of the same law

¹⁸⁰ In fact this covers the stated conditions in Article 7 of the Law

documents from other parts of the former SFRY may
licant would not be able to cover.

The Ombudsman¹⁸¹ is the official responsible to protect the constitutional and legal rights of the citizens that have been violated by organs of the state administration or other organs and organizations with public authorizations. It is his task to pay special attention to the protection of the non-discrimination principles, the adequate and just representation of the members of the communities in the organs of the state authorities, the organs of the units of local self government and in the public institutions and services.

6.2. Current Situation

The reports on the countries of Central and Eastern Europe related to the Roma human rights situation state the appearance of direct or indirect discrimination as one of the barriers for Roma in their full integration in those societies. This is reflected in numerous areas of life, either as services provided by the states that due to different reasons are not equally accessible for the Roma or as insufficient knowledge of their own rights, as well as lack of knowledge which steps should be undertaken in order to exercise the guaranteed rights or services.

In the UN Report on Human Rights Improvement and Protection it is stated that there are concerns that in the Republic of Macedonia¹⁸², in the future decentralization, the local authorities are not going to be provided with sufficient resources from the central government in order to efficiently fulfill their obligations as far as human rights are concerned and that provision of greater independency of the local authorities, including the mayors and the police, would lead to greater human rights abuse at local level. It has been especially noted that the territory of the state is not adequately covered with network of human rights attorneys which could have negative effect on the monitoring and protection of these rights at local level.

The document states the following as additional problems in the area of human rights: access to academic qualifications necessary for employment in state institutions¹⁸³, illicit trade with women and children, equality before the law, difficulties in exercising the right to efficient and just procedure, independence of the judiciary¹⁸⁴. The report also mentions abuse of official duty by the police¹⁸⁵ during arrests and in the detention facilities¹⁸⁶,

¹⁸¹ Article 77 of the Constitution

¹⁸² Dated January 15, 2004, item 15

¹⁸³ Item 20

¹⁸⁴ There are Roma who in spite of having lived for many years in the Republic of Macedonia still do not have identity cards or other personal documents. Some Roma have parents from abroad, whereas in some cases it is a mistake of the state. There are children not registered as born in the country.

¹⁸⁵ The geographic distribution of brutality against Roma is not even, it is greater in eastern than in western Macedonia. Nevertheless, such cases should be treated concretely and possibly isolated when it is the same geographic location and the same perpetrators, with the aim of not unnecessarily generalizing the image of the situation.

¹⁸⁶ The last report of the Helsinki Committee again states several cases of breach of legal procedure for detention of persons (with court order) or similar abuse declared by the victims who are Roma. Report on

In the domain of services provided by the state, the led to the decline of the health standards, the difficult access to good quality health service, social security, adequate housing, the position of children in families living in poverty, as well as the limited access to quality education, including education in their mother tongue, especially the access of Roma to it¹⁸⁸. The general assessment is that in principle the Roma try to find their place in the Macedonian society that is building democracy and learning in the process how the proclaimed principles could be realized in the practice.

Even though the existing provisions provide a decent level of standards that every modern state should fulfill, in the reality, due to different reasons, the implementation of the existing laws is not functioning ideally. It is considered that in spite of the legally declared positive status and protection of rights of Roma, the state is now showing sufficient efficiency in the implementation and in the resolution of the cases that have appeared in the practice. Regarding the forms of direct discrimination, it is noted that due to the sensitivity of the problem it is very difficult to prove such cases from a legal point of view, even when such act is evident.

The Roma complain that in their everyday life they feel the hidden discrimination¹⁸⁹. According to their statements, they feel discrimination also in the judiciary system¹⁹⁰.

The impression is that in the Republic of Macedonia knowledge and information about the list of human rights guaranteed by the system is not sufficient or accessible only to persons with higher level of education. This fact affects the practical exercise of the rights the Roma do not know much about¹⁹¹.

6.3. Recommendations and Activities

In order to achieve efficiency in resolving the problems related to discrimination, the Strategy should mostly support education programs and measures, especially important

Human Rights Situation in the Republic of Macedonia, Helsinki Committee, June, 2004, as well as other reports of this organization.

¹⁸⁷ Item 21

¹⁸⁸ Item 22

¹⁸⁹ For example, the police does not react when there is a fight against Roma, the young Roma are not allowed to go to disco or bars, there are locally known police officers who maltreat them and that the complaints against such acts have no effect, the Roma are seldom allowed to go swimming in swimming pools, the Roma fear to appear before a court and sue, the women and children are frequently victims of family violence but are afraid to denounce it. On the other hand, the attitude of the politicians, other public personalities, the academic world and the public in general has been described in some texts as "benign neglect" or that they are ignoring the Roma as a group and their problems.

¹⁹⁰ Failure to lead unbiased and timely investigations when Roma are concerned; Roma who have committed an act against other Roma are not being persecuted; Roma are persecuted more frequently than others, and so on.

¹⁹¹ This refers especially to persons who have not regulated their citizenship status because it is not clear to them who they should ask for information and help. The Roma who have not regulated their status do not know the list of rights that are guaranteed to them by the state in spite of their status. The financial situation of the Roma makes things even more difficult since it limits their actions and the possibility to pay the basic costs for such procedure.

in order to overcome the current situation the following
by the *police* are recommended:

- IAM (Interior Affairs Ministry) should show practical readiness to respect the standards, to educate the police and punish the perpetrators on the basis of legal internal procedure on responsibility in case of abuse of authority by an official;
- IAM should develop measures to overcome prejudices and negative stereotypes about the Roma through educational initiatives;
- to develop training programs aimed to prevent overstepping of official authority and use of force, and to promote awareness about respect of human rights;
- police to provide efficient reaction and procedure for cases based on racially motivated violence;
- creation of recommendations, practices and ethical codex of behavior for the police, and its implementation;
- to employ Roma policemen in the IAM.

The education of the employees in the Interior Affairs Ministry, as well as of the future policemen, in the area of raising awareness about eliminating prejudices and negative stereotypes for the Roma can be conducted as partnership between the Center for Education of Security Officers, IAM and other interested partners (like donor organizations, agencies or the Police Development Department of the OSCE). It is necessary to develop a system of direct cooperation and communication between the police, the population and the citizens' organizations (including the citizens counseling centers in the places where they have been founded).

Education on adequate human rights protection for the members of the police force and the Roma is also recommended for: judges, the Public Prosecution, employees in the regional units of the Justice Ministry, the interested attorneys¹⁹². An adapted education for the media is also recommended, especially related to the information dissemination and awareness building about the powerful influence of media in the creation of the public opinion on ethnic issues (eliminating prejudices and stereotypes in information by developing a codex of behavior).

The following activities are proposed in this context:

- in cooperation with the representatives of the Roma community to encourage them to follow and closely cooperate with the Office of the Ombudsman in starting procedures for human rights violations;
- to establish a coordination body comprised of Roma citizens' organizations to improve the coordination in the realization of human rights, to define the priorities and monitor the implementation of the laws;
- to ratify the International Convention on Protection of Rights of Immigrant Workers and Members of Their Families;

¹⁹² There is already experience in this area through the UNHCR program for support of legal assistance to citizens, the Roma being the second largest group using this type of assistance.

assistance to Roma, especially for issues related to

- to continuously inform the wider public about issues in the area of human rights, including the Roma. This task could be taken over by a mixed commission (Roma representatives and human rights experts).
- to see the possibilities for and the foreign experience on implementation of alternative punishment in the criminal system, especially when young people are concerned;
- to work more intensively with the local administration to provide education on human rights and their guarantee and exercise under the system¹⁹³
- promotion of civil society in the education system;
- school programs on human rights to include stereotypes;
- the Public Attorney to follow the trend and collect data about the nationality of the persons who most frequently file complaints;
- civic advisory centers to keep records on the outcome of the complaints against discrimination by state organs;
- Internal Control and Professional Standards Sector at the Interior Affairs Ministry to organize regular meetings with representatives of the Roma community.
- To form advisory boards comprised of representatives of the police and the local population.

The already existing experience in the formation of Citizens Counseling Centers (CCC) in the municipalities, led up to now by proven Roma citizens' organizations¹⁹⁴, represents a good basis for continuous assistance and information for the citizens about the protection of their rights. The task of these centers would be: to collect and distribute information about the rights of citizens and their exercise; assistance to persons who need to obtain personal documents (citizenship, identity card, registration of infants and so on); assistance to persons who do not know how to complete the documents needed for provision of health care and social assistance; to fill in applications related to the right to employment and registration in the Employment Agency and so on. These centers can help the victims and react in cases of human rights violations and discrimination before the Public Attorney, as well as try to provide free of charge legal advise and assistance in the realization of their rights. As far as the right to citizenship is concerned, the CCC could synchronize their work with the competent state organs. The CCC could also disseminate information through information cars with the aim of increasing the knowledge of the citizens about their rights and the ways to exercise them¹⁹⁵.

¹⁹³ Since 2002 the Interior Affairs Ministry issues brochures (supported by UNHCR) published in Roma language and relate to administrative procedures for registration of birth, stay, marriage, death, citizenship acquisition, issuance of ID and so on. At the moment the brochures are being updated and will be distributed again in 2005. Information video spots shall additionally be prepared. It is necessary to instigate sensibility for this at the units of local self government and the employees of its administration, and increase of the citizens' organizations capacity for such monitoring.

¹⁹⁴ Like "Moonlight" for example.

¹⁹⁵ These cards could contain information about the marginalized groups: minorities (language, cultural, ethnic, sexual), socially endangered persons (with information on: social insurance, work relations, unemployment statu8s), as well as about the rights of citizens within certain procedures (detention, custody, elections).

guaranteed human rights in a state there should be the protection of human rights in general and of those that relate to the rights of minorities. This is needed to avoid a distorted implementation of the minority rights that could lead to ethno-centrism and segregation instead of integration of Roma in the main trends of the Macedonian society.

Mid-term indicators:

- new Anti-Discrimination Law enacted;
- the Government of the Republic of Macedonia, the civic sector and the courts to form a joint group for transparent information on the discrimination;
- Roma citizens' organizations to form teams of persons who have graduated from the Law Faculty and have been trained to recognize discrimination and to protect from it;
- by 2008 the members of the RNVO-ROMA 2002 who work on protection against discrimination to form an expert group to monitor and report to the domestic and foreign public about the situation of the Roma community;
- drastically reduced number of cases of force being used against Roma.

Long-term indicators: a significantly more efficient functioning of the rule of law state.

7. Culture

7.1. Normative Frame

The preservation and promotion of the cultural identity is regulated by Article 48 of the Constitution of the Republic of Macedonia. This article is the basis of the laws in the area of culture, above all the Law on Culture¹⁹⁶, as well as the programs of the Ministry of Culture that include also the cultural institutions of the Roma.

The Law on Culture stipulates that the national interests in this area include the "stimulus towards diversity and difference in culture ... provision of conditions to develop and protect the cultural identity of the communities in the Republic of Macedonia," as well as "affirmation of the culture and the cultural differences of the Republic abroad¹⁹⁷."

According to this Law, the Ministry of Culture establishes a Culture Council as an expert and advisory body whose members should provide besides the principle of expertise and competence also a just representation of the citizens belonging to all the communities in the state. The members of the Council are appointed by the Minister of Culture, who can establish, if and when needed, other expert and advisory bodies, as well as appoint outside collaborators to prepare the annual program of this Ministry¹⁹⁸.

The cultural dimension is also closely linked to the use of the mother tongue, applied in the domain of education.

¹⁹⁶ Official Gazette of RM No. 31/98 and 49/03

¹⁹⁷ Item 3, 5 and 8 of Article 8 of the Law on Culture

¹⁹⁸ Article 11 of the Law on Culture

Many times in the past the cultural expression of the Roma population has been a powerful and successful represent of the life and autochthonous culture in the region. The culture can be viewed as an instrument to affirm the identity of the Roma community, but also as an instrument to promote the inter-ethnic communication and the integration of the Roma in the society.

As far as institutions are concerned, in the Republic of Macedonia there are no cultural organizations (folklore associations, music groups, theater and so on¹⁹⁹) that constantly cultivate the culture of the Roma. The musicians of the Roma community should be especially singled out because of their world-wide high reputation. The Roma theater also did such affirmation in the past. Nevertheless, no studies financed by the state dealing with the history of the culture and traditions of the Roma in the Republic of Macedonia have been ever conducted.

The comment of the Roma is that their culture has not always been presented realistically, but on the contrary in a manner that intensifies the existing prejudices.

Culture should be viewed as a factor for further emancipation of the Roma community and should thus be in accordance with the efforts made in the education system. A greater participation and integration of the Roma in the main streams of the Macedonian society shall be achieved through culture.

7.8 Recommendations and Activities

In order to achieve promotion of the Roma culture it is recommended that a separate institution be founded to work on its further development at national level. This type of bodies should also be founded in the local units where the Roma community is significant with the aim of facilitating the organization of different cultural activities.

Other recommendations are:

- in cooperation with the Ministry of Culture and the representatives of the Roma community working on the promotion of the Roma culture to prepare a separate strategy for the development of the Roma culture;
- to promote the Roma cultural heritage as a development resource;
- to include the Roma in the Committee for Cultural Communities in the Republic of Macedonia;
- to transmit Roma cultural skills to the youngest through special education programs;
- to strengthen, in an organizational sense, the cultural and artistic associations and other cultural initiatives through training and technical assistance;
- to support the existing culture houses and cultural-artistic associations through training and technical assistance;

¹⁹⁹ Culture Association Pralipe and "Student" theater

stitutions through training and achievement of their
ing donations and so on);

- to promote the cultural interaction of different cultures in Macedonia and to strengthen the multi-cultural ambience;
- to promote the cultural heritage in the local communities as an attractive local resource;
- to undertake research and organize scientific meetings about Roma culture, history, tradition and language and to publish specialized books as theoretic basis for the relevant areas;
- to stimulate the Roma publishing óprinting books of Roma authors, as well as magazines and periodical publications on Roma culture;
- to organize domestic and international scientific symposiums on these topics;
- complete implementation of the standardized Roma language;
- to organize courses, seminars, schools for learning through correspondence and summer schools in Roma language, especially for the youth;
- to provide greater participation of Roma in the scientific and cultural institutions;
- to widen the cultural education of the Roma population;
- to open a group for Roma students at the Drama Faculty;
- the Roma community to organize cultural, multi-cultural and sport events ;
- to open libraries in larger Roma communities.

The idea to promote a theater for children as an artistic, social and educational instrument for work with Roma children is interesting (to promote through the theater statements about education, family, environment, inter ethnic relations, understanding of the culture of neighbors, child rights and basis of democracy) as well as to stimulate direct engagement of children in the theater activities and motivate them for a further artistic expression. In this sense it is possible to animate theater shows for children of ethnic-language composition and promote multi-culture.

Mid-term indicators:

- increased number of Roma cultural and artistic associations;
- completed research in the area of ethnology and linguistics;
- increased number of organized conferences and symposia on Roma culture and language;
- published books of Roma authors in Roma language;
- cultural events held;
- rich musical production;
- increased number of theater shows.

Long-term indicator: dynamic cultural development of the Roma community in the Republic of Macedonia.

8. Media

8.1. Normative Frame

area of information are regulated in Article 16 of the Constitution of the Republic of Macedonia. The Constitution guarantees the freedom of speech, public appearance, public information and free foundation of public information institutions. It also guarantees free access to information, freedom to receive and give information. In the sense, communities have the right to use a determined number of program hours on the national radio and television to broadcast programs in their mother language.

The Law on Radio Broadcasting dates from 1997 and currently a procedure for amendments has been initiated.

8.2. Current Situation

The media play an essential role in achieving the cohesion of their community, but also in the strengthening the communication between the different communities. The existence of media in Roma language enables direct information about the problems that this community has, as well as cultivation of the Roma language.

At the moment, there are several Roma magazines, several local television and radio stations broadcast²⁰⁰. Programs in Roma language is also broadcast within the programs of the Macedonian Television (30 minutes three times a week) and Radio Skopje 2 (30 minutes daily). The only local radio stations broadcasting Roma language are Radio Tetovo (30 minutes daily) and Radio Kumanovo (has Roma program).

Regarding the other media, national or local, the representatives of the Roma community comment that when the media broadcast information about them, the commentaries often contains stereotypes. In order to overcome this situation, it is necessary to educate journalists, to broadcast programs about Roma and their problems as well as programs of documentary and educational character about their culture and tradition to be broadcast at prime-time.

8.3. Recommendations and Activities

The recommendation is to connect the Roma local media with the Roma editorials of the public service in a network in order to provide exchange of programs and establish a wider cooperation or information on the implementation of the Strategy. The following are proposed as activities:

- to enlarge the Roma program at the state, local and national media;
- to support TV stations promoting multi-lingual and multi-cultural projects;
- to support the strengthening of the programs and the personnel of the Roma media;
- to encourage all media to show positive aspects and a balanced image of the Roma life, as well as to constrain themselves from using stereotypes about the Roma;
- to train Roma journalists about the standards of the Roma language;

²⁰⁰ TV Sutel, BTR, Radio Cerenja, Radio Ternipe and others.

ity of the existing media and to open new ones;
in the media;

- to include in the Radio Broadcasting Council a Roma member.

Mid-term indicators:

- to increase the number of private local media founded by representatives of the Roma community;
- republic local media to allocate time for programs in Roma language;
- one Roma electronic media meeting the criteria to be given a national concession;
- to publish one magazine for children in Roma language;
- to increase the number of printed media in Roma language;
- larger number of hours of Roma program on MTV.

Long term indicator:

- dynamic development of Roma media.

9. Romani Women and Their Specific Problems

9.1. Normative Frame

The Republic of Macedonia is signatory of international documents establishing equality among men and women, like the Convention on the Elimination of All Types of Discrimination Against Women from 1979 that came in to force in 1991. Macedonia has also signed the Optional Protocol to the Convention on the Elimination of All Types of Discrimination Against Women (2000). This protocol recognizes the competence of the Women Rights Committee to take under consideration the applications of individuals or groups related to the protection of the rights determined in the Convention²⁰¹.

The Constitution of the Republic of Macedonia determines equality of all citizens in their rights and freedoms regardless of gender, race, color of skin, ethnic or social origin, political or religious beliefs, ownership of social status, and this principle is followed in all its provisions²⁰². All the legislation in the State builds-up on this basis. The right to employment promotes equality of the gender and other benefits for employed mothers (maternity leave, sick leave and so on). The principle of equality applies also to the right to inheritance. Access to education is also on the basis on equality. Nevertheless, numerous other factors burden the position of the Roma women (see: Education). Articles 123 and 129 of the Criminal Code determine violence against women as a criminal act.

²⁰¹ Other relevant UN documents are: Declaration for Elimination of Discrimination Against Women, approved by the UN General Assembly, Resolution No.2263, November 7, 1967; Convention for the Illicit Trade with People and Women (1950); as well as the Universal Human Rights Declaration (1948).

²⁰² Article 9 of the Constitution.

Code of the Republic of Macedonia sanctioning family violence was adopted by the Assembly at its session held on March 19, 2004, published in the Official Gazette No.19, March 2004. With this, the Republic of Macedonia joins the countries that treat the problem of family violence as a serious social problem. With the expected changes and amendments to the Family Law, proposing "protection rules", this problem will be resolved in a comprehensive and efficient manner. The definition of the term "family violence" is stipulated in Article 122, item 19 of the Criminal Code²⁰³. Family violence as a term has been included in the list of criminal acts against life and body, against freedoms and rights of the man and the citizen, against gender freedom and sexual moral, as well as against the judiciary²⁰⁴.

A department for Gender Equality was established in 1997 in the Ministry of Labor and Social Policy as a result of a decree of the Government of the Republic of Macedonia issued after the Beijing Declaration and the Platform for Action. This Department, among other things, has the following tasks: to follow the implementation of the international law ratified by the Republic of Macedonia in the domain of the gender equality and propose changes to the domestic legislation; to coordinate projects on this issue and submit reports about the issue. This Body can also, convoke meeting of the line ministries and other interested parties and to organize conferences on given topics. In 1998, this Body supported the initiative of a group of parliamentarians in the Assembly of the Republic of Macedonia to enact a Declaration on Developing Equality Between Men and Women in the Decision-Making Process²⁰⁵.

The Republic of Macedonia has enacted a National Action Plan through which the State undertakes the task to eliminate gender inequality at all levels. It encompasses: raising the status of the Gender Equality Department and the involvement of a Minister without portfolio in it; establishing a National Gender Equality Committee in the Assembly of the Republic of Macedonia; establishing committees for gender equality in the new local self-government; establishing a gender balance among officials appointed by the Government; creating a data base of experts in all areas; promoting a system for recruitment of management officials in the administration based on their knowledge and skills. The National Committee for implementation of the Beijing Platform for Action is composed of members of government institutions, citizens' organizations and experts who have the task to determine priorities and verify the results. The Gender Equality Department and the National Committee prepared the National Gender Equality Action Plan ratified by the Assembly (1991). The role of this Action Plan is to identify the goals and measures for action based on the current situation in the area of gender equality, but also to inform the public about it. A National Commission for Fight Against Human Trafficking was founded within these initiatives.

²⁰³ The Article stipulates that "family violence covers abuse, rude offence, physical injury, gender or other psychological or physical violence causing a feeling of insecurity, threat by or fear from spouse, parents or children or other persons living in marital or non-marital community or joint household, as well as from former spouse or persons who have a child together, or very close personal relation."

²⁰⁴ This is contained in the Articles 123, 125, 130, 131, 139, 140, 144, 186, 187, 191 and 377 of the Criminal Code.

²⁰⁵ Official Gazette of the Republic of Macedonia , No. 32/98

was established in Macedonia. It is a coalition of assembly, local self-government, citizens' organizations, political parties, media and women experts in different areas. It is important to stress that all these members come from different environments, ethnic communities, religion and political beliefs driven by the common wish to work together towards a common "women" interests. The Women Lobby, through its working group, functions as a group to put pressure on the institutions of the system, the public and the media to: achieve greater representation of women in politics and public life, especially in the decision-making processes; improve the existing legal provisions in the direction of improving the position of women and their rights; provide greater participation of women in local self-government; raise the awareness of women for public engagement; raise the awareness to vote by their own choice (exercise of voting rights); raise awareness of the need to create equal opportunities. The Women Lobby managed to push forward a legal obligation of parties to put 30% women candidates on their lists at the national and local elections.

9.2. Current Situation

Within the effort of numerous factors and donors in the Republic of Macedonia for promotion and support to a gender sensitive approach in the decision-making process at all levels, as well as in the strengthening of the social and political representation of women in all spheres of society, the priorities of the Roma woman are incorporated. Their needs and problems have many similarities with other women in the Republic of Macedonia, but at the same time she feels also the accumulated specific problems in the gender area characteristic for the Roma ethnic community. The total set of issues about the position and progress of the Roma community is directly related to the improvement of her position and emancipation since the overall problems and traditional values fall on her shoulders. Therefore, the development of gender relations in the Roma community is of primary importance since one often faces the assessment they live in double discrimination, as women and as Roma women. The basic task of all factors of influence over the Roma community supported by the State set of measures is to overcome the obsolete traditional views and pressures on the female child.

The measures and activities foreseen in this Strategy, in all areas, have implications on her status in the Roma community causing imminent changes. Every successful initiative that advances and emancipates the Roma community has a direct positive outcome on the Roma woman too. She is the central axis on which the development of the overall community holds.

It is a fact that the Roma woman is significantly less employed officially than the man, and the assessment is that the unemployment rate is around 97.7%. Even though it is stated that this is primarily due to her low level of education²⁰⁶, the fact that an enormous

²⁰⁶ Some research indicate that in Suto Orizari, for example, there are 27% illiterate women and 7% men, with incomplete elementary education 27% women and 16% men, whereas 37% of the women have completed elementary education and 50% men.

must not be neglected²⁰⁷. It is considered that, by rule, of education of men because they marry young, even before completing elementary education. Parents frequently give priority to the education of the male children. Mainly married women visit gynecologist and contraception is used very little outside the capital city. Nevertheless, according to the commentaries of the Roma community representatives²⁰⁸, the birth rate depends on early marriage and on the priority given to the male offspring. Mortality is considered to be directly dependant on the inadequate conditions at childbirth, as well as on the bad hygiene in their housing.

Due to the bad social and economic situation several actions are noted that are directed against the Roma woman, her integrity and health. Some of them are: family violence²⁰⁹, human trafficking and so on. Changes in the legislation, followed by adequate measures of the social institutions and citizens organizations, could contribute to mitigate the consequences.

9.3. Recommendations and Activities

The needs and the problems of the Roma woman should be treated within the overall effort for gender equality in different areas, seeking equality in the legal and institutional protection. On the other hand, the specifics of the problems require an additional specific approach and action (for additional information see other areas of the Strategy).

Education: to create equal opportunities for education of boys and girls; the parents of girls to be motivated through special measures for education of their children; to initiate special educational programs for the Roma woman; to provide scholarships for education; to provide training on gender equality and human rights; to introduce sexual education as a subject in schools; the need to obtain relevant information through research about the Roma woman in all areas; to have, at all levels of education, a segment of the curriculum, textbooks and methodology about gender equality.

Socio-economic status: to employ Roma women in the institutions of the system through positive discrimination; to offer favorable loans for women with smaller family businesses; to organize vocational training courses; to offer favorable loans to single mothers, and so on.

Health: to open centers for marriage counseling, where informative material will be distributed and lectures organized on reproductive health, health protection, prevention, motherhood, childhood, adolescence and menopause; implementation of programs for

²⁰⁷ For example, in the black market trade or cleaning houses. Nevertheless, this data should be taken as relative since this category of persons are most frequently are involved in the grey economy. This is why more serious research has to be undertaken to assess the economic activities of the Roma population, especially women.

²⁰⁸ Obtained from different focus groups with Roma participants in different projects, mainly in the area of health.

²⁰⁹ Family violence is present mostly among people with lower level of education who tend to resolve the conflict by fights instead battle. The woman is the most frequent victim since she is expected to patiently tolerate such situation, especially because of the tradition and the economic situation.

...eases among women; educational programs for early
...ancer of genitals; to establish a data base of special
health indicators and so on.

Political representation: to lobby for the inclusion of woman's priorities in the party programs of the Roma parties; to insist on 30% representation of women on the party lists; to increase political representation of women in Roma parties (lobby groups, for a and so on.

Social services: special assistance to single mothers; to provide free of charge legal protection of women who can not afford them.

Family: to open centers for family counseling within the centers for marriage counseling where they would get information on the protection of the rights of women and children against family violence, as well as instructions on how to act in such a situation; to inform them about the existing standards about inheritance; to activate especially the Roma media in the promotion of the contemporary ideas about the status of the women to speak openly about taboos and tradition with the aim of overcoming the problems through promotion of gender and reproductive rights and freedom of choice for the young Roma women.

The woman dimension, in all aspects of life, offers possibilities for intensive action that could be promoted by the *Roma women citizens' organizations*, in their environment. It has to be noted that there have been different projects, training and activities that these organizations have realized so this trend should continue, but more intensively. This is the reason why it is expected for the women citizens' organizations to represent an equal partner in the implementation of the strategic priorities. The network of Roma women organizations should continue to strengthen and develop in order to achieve a strategic coalition in promoting certain changes in the community, among themselves and with other organizations. The leading role in this process should be played by those organizations that have managed to strengthen themselves because: they have the capacity to lobby; they can create a favorable ambient for work in the sector; have the potential and capacity to build the capacity of other local organizations; they can initiate changes.

The recommendation is, for the Roma women, to fight for their position in the Roma community through the following activities:

- to establish a national group for promotion, lobbying and representation of the gender equality in the Roma community and outside of it, that will prepare a national strategy and an action plan for the Roma woman;
- direct cooperation with the Ministry of Health, Ministry of Labor and Social Policy, Interior Affairs Ministry and other ministries in cases when the woman should be protected;
- to develop interactive skills in designing and providing training on gender equality, especially at local level;

and the training of women's citizens organizations;
g for women with identified leadership capabilities;

- to develop the capacity of the women's organizations staff who will be included in the special programs or projects of the Strategy;
- to learn the way to activate the mechanisms of intervention of the international organizations in case of breach of any of the women's rights;
- to develop the capacity and skills to lead projects;
- to develop lobbying techniques;
- to develop negotiating skills;
- to organize training for business improvement.

Mid-term indicators:

- increased number of Roma women candidates at the local elections in 2005;
- successfully developed and implemented programs for local trainers and lobbying;
- eliminating illiteracy among younger Roma women;
- drastically reduced drop-outs of girls from elementary education;
- elimination of gender discrimination in education;
- created national network of Roma women's organizations;
- Gender Study Research Center to undertake research of specifics in the attitude of the Roma community towards the Roma woman;
- The Documentation and Information Unit in cooperation with the Roma women's organizations to document information related to the status of the Roma woman in its community and the society in general;
- Dialogue in Roma community on issues and problems related to the woman, with participation of men in the discussion;
- campaigns on gender equality.

Long-term indicators:

- Achievement of a most successful gender balance (gender relations) in the Roma community.

10. Political Participation

The Roma have been represented in the Assembly since the first multi-party elections held in the Republic of Macedonia (in 1990 two Assembly Deputies, and in 1994, 1998 and 2002 one Assembly Deputy from possible 120). Since the beginning of the political pluralism in the Republic of Macedonia the Roma are actively included in the political life through the foundation and activities of their political parties. The existing legislation that enables the foundation of political parties on ethnic grounds makes this possible. With the enactment of the Constitution of the Republic of Macedonia in 1991, as well as the enactment of the Law on Political Parties in 1994, the normative preconditions were

parties that would promote the interests of the different
te²¹⁰.

In the past period several political parties of Roma were founded, among them are: Party for Full Emancipation of Roma, United Party of the Roma, Alliance of the Roma in Macedonia, Unique Party of the Roma, Democratic Party of the Roma. Later PFER and UPR united in the United Party for Emancipation. Experience shows that the Roma parties frequently enter into coalitions with the larger Macedonian parties.

The democratization processes in the country, as well as the implementation of the Framework Agreement principles contributed to an increase in the Roma representation in the organs of the government²¹¹. Nevertheless, the representatives of the Roma political parties consider that their representation, in accordance with the Framework Agreement, more precisely in reference to the fair and just representation of the representatives of minorities in all levels of the public administration, the representation, that is the percentage of representation of the Roma ethnic community in the public administration is below the satisfactory level and that a lot has to be done in that direction in order to provide additional employment of representatives of the Roma ethnic community in all levels and segments of the public administration in the Republic of Macedonia. The situation is especially unsatisfactory as far as representation in local administration is concerned, especially since an imbalance in the active participation of Roma living outside the capital city in public life.

Due to the fact that most of the Roma community expresses distrust and disappointment from the public institutions of the state due to the overall social and economic situation of the community, there is also skepticism towards the political leaders, the Roma political elite and the Roma civic sector. In this context, the representatives of the Roma ethnic community are expected to be more engaged in promoting the problems and priorities of this population²¹².

Further *recommendations* in this direction are:

- to support the cooperation between the political leaders of the relevant parties on local and national level with the political parties of the Roma and other representatives of the Roma community;
- to encourage Roma to realize their interests not only through the parties of their own ethnic community, but also through the other relevant political parties;
- to provide possibilities for political education of the Roma political parties' members with the aim of improving the quality of the community's representation;
- to provide consistent implementation of the Law on Financing of Political Parties;

²¹⁰ Article 20 paragraphs 2 and 3 of the 1991 Constitution, that is, Article 20 of the 2001 Constitution, and the Law on Political Parties Article 7.

²¹¹ The Roma have representatives in the Ministry of Labor and Social Policy, in the Defense Ministry, in the Ministry of Culture and to appoint a representative in the Ministry of Transport and Communications. Roma also have their representatives in different government committees and boards.

²¹² Frequently mentioned positions during the work in focus groups under different projects.

Roma political parties with the more influential parties

- the majority parties to take into consideration, at the local elections, of the needs of the Roma in those units of local self-government and to be more open for candidates from political parties of the Roma ethnic community;
- to organize campaigns to raise the awareness about voting in order to increase the participation of Roma at the elections;
- to provide free voting, without pressure;
- to increase the knowledge about the equal electoral rights of the Roma woman, as well as her representation in the political parties;
- to impose sanctions against possible family voting;
- political leaders to improve their own capacity;
- to review the possibility of employing Roma officials having the necessary qualifications (passed state exam) in the local self-government where the Roma are present in a significant number.

III. Recommendations for the Implementation of the Strategy

Having in mind that the general goal of the Strategy is integration of the Roma in the Macedonian society, as well as strengthening the Roma community, the proclaimed strategic goals and activities should be accorded with the general reform policy of the state. Having in mind the current position of the Roma community, the need to apply special measures to help provide equality in the access and opportunities of the Roma in all the domains of society imposes itself.

This assumes development of clear and operative state policy for Roma, as well as involvement of *Roma representatives in the whole process of preparing the Strategy*. In this process of consultation and coordination with the representatives of the Roma community the state proves its commitment and serious intentions, essential message present in numerous documents of the European Union and the Council of Europe. This would provide a constructive feedback about the strategic goals and on this basis the government should make a selection of policies on which specific projects in the region would build. At the same time, it is necessary to intensive affirm the Strategy among the non-Roma population and involve the non-Roma population in its implementation. A feeling has to be created in the implementation of the strategic priorities that they are important for the improvement of the overall social and economic situation in the country.

Generally speaking, the success of the Strategy depends on the following factors:

- involvement of the beneficiaries of services in the design and implementation of the policies and programs;
- to make the decision making process non-biased, transparent and timely;
- participation in the decision making process to be provided on all levels;
- development of programs for the organization, tenders and financial management of the implementation of the strategy;

ization of the programs, especially among the Roma.

In order to successfully implement the Strategy, it is proposed to establish, within the government of the Republic of Macedonia, a Roma Secretariat as part of the General Secretariat. The Secretariat would be an operative office that would coordinate, gather information and experience, and monitor the implementation of the Strategy. Besides this body, a National Roma Inclusion Council would be established, as the management body of the Secretariat, led by a National Coordinator coming from the Roma ethnic community. Members of this body, beside the coordinator, would be the deputy ministers of four priority ministries defined in the Roma Decade, as well as representatives of the Roma citizens' organizations, representatives of political parties, representatives of the local self-government, experts, a representative of the Commission for Relations with Ethnic Communities, and others.

This body is expected to cooperate in the implementation process with the structures of government, independent experts, representatives of the Roma community, interested donors, as well as with other involved parties. This body is also going to monitor the preparation of sectoral strategies and other documents related to more global system reforms²¹³.

The policies and projects should be adapted to the local situation and conditions, based on the input from the representatives of the local Roma community, and they should reflect its size and diversity. The cooperation among the representatives of the local authorities and the Roma is very important in this respect. The recommendation is to have representation of the Roma in the local self government through special councilors of the mayor when no Roma councilors are elected in the Council of the local unit.

The large volume of activities contained in the Strategy implies the provision of an adequate *financial construction*. It is evident that there will be a need to co-finance the activities that the budget would not be able to cover fully. Coordination between the government and the interested donors²¹⁴ (international organizations, foreign states, citizens' organizations, international development agencies and so on) will be necessary in order to complete the financial construction.

For operational reasons it is proposed to allocate the resources from the budget aimed for the implementation of the Strategy on the basis of bids in the relevant areas. The selection would be done through public announcement where the interested parties would apply with their draft projects. The selection criteria for these projects would have to be disclosed to the public, as well as the approved projects, in order to provide complete transparency of the whole process through the subsequent monitoring and evaluation of the effects of the projects.

²¹³ Fight against poverty, reforms in the health sector, the social system and so on.

²¹⁴ In the sense of determining the percentage share in the budget compared to the other sources of funding. There is also a need for coordination of the donors themselves.

systematic and continuous evaluation of the progress being performed smoothly thus enabling possible adjustments to be made in a methodical manner²¹⁵. The monitoring of the activities should be provided by creating independent systems (bodies) for monitoring the strategic activities²¹⁶. These systems would analyze the advance made in a determined area as well as the program implementation with precise determination of the tasks and methods. The bodies that have already been established on the basis of the international documents would be involved in this process. From this aspect the control role of the citizens' organizations is especially important since they will always be able to point out to the possible problems in the realization of some of the activities.

On the other hand, the *evaluation* is seen as a "periodic evaluation of the relevance, performance, efficiency and effect of the activities in relation to the proclaimed goals"²¹⁷. It is recommended to consistently involve the donors, state organs, the program beneficiaries as well as representatives of the Roma community in the overall process of evaluation of different programs. The evaluation has to be a unbiased assessment of the successfulness in the implementation of the programs in order to represent a constructive recommendation for further more successful realization of the programs. In order to provide objectiveness, the performers of the evaluation of the Strategy shall be determined in coordination with all relevant actors.

Reporting about the development of the strategic activities by areas should be done through regular periodic reports: semi annual, annual and at 5 years. The reports should be prepared on the basis of previously set and clearly defined indicators. They should also focus on the specific effects of certain policies and not on the process itself. It is advisable to compare the advance made in certain areas with the trends among the non-Roma population instead of making the measurements only within the Roma community. The quality of the data should be comparable to the situation in other states.

The general time frame for the realization of the strategic commitments is the period of the next 10 years.

Nevertheless, the Strategy could not enter into detailed implementation in every sector. Having in mind the crucial importance of the priority areas stated in the Roma Decade, the Strategy should confirm the same priority. In an operational sense, the implementation period should determine a shorter period as an *initial phase*. In this phase (maximum one year) it would be necessary to: analyze in detail the current legal frame by areas; to develop separate strategies by sectors with short term, mid term and long term measures and in doing so use the already prepared action plans in the priority areas of the Roma Inclusion Decade²¹⁸ and to be supplemented with new in other areas;

²¹⁵ Monitoring and Evaluation Methodology Seminar, Strasbourg, 2-3 September 2004, page 4.

²¹⁶ The state bodies and institutions will establish special bodies to follow the strategic activities (in the ministries, local units, or as inter-ministerial committees or the ombudsman)

²¹⁷ Monitoring and Evaluation Methodology Seminar, Strasbourg 2-3 September, 2004

²¹⁸ These action plans refer to the areas of health, education, housing and employment.

studies; to prepare a detailed financial construction
in any of the listed areas can be measured on the
basis of determined indicators, as well as on the basis of the recommendations for
keeping relevant statistics (see page 18 of the Strategy), that would be able to correctly
reflect the development if and when correctly realized.

In order to provide more efficient implementation of the Strategy it is recommended that
the four key ministries: for health, labor and social policy, education and transport and
communications to employ one Roma advisor each. This is in accordance with the
commitment of the Government to implement the provisions of the Framework
Agreement in the area of just representation in the public administration (amendment 6,
article 8 line 2 of the Constitutions of the Republic of Macedonia).

The second phase should cover the realization of the sector strategies, through: pilot
projects, realization of actions plans in the priority areas, and then realization of the
remaining action plans. In doing so it is very important to mobilize the whole existing
potential of the state organs, as well as the appointment of a contact person in every
relevant ministry. The mobilization of the Roma and all interested parties for timely
operational planning and submittal of draft projects with the aim of providing successful
"absorption" of the available resources for the Roma community is also important.

The main long term indicators for the overall successfulness of the Strategy are: achieved
positive change in the overall Roma quality of life and achieved greater participation in
the social live in the Republic of Macedonia.

ANNEX

TABLES AND DATA

Table 1: Initial results of the census published on 01.12.2003

National belonging	1948	1953	1961	1971	1981	1991	1994	2002
Macedonians	65.8	66.0	71.2	69.3	67.0	65.3	66.6	64.18
Albanians	17.1	12.5	13.0	17.0	19.8	21.7	22.7	25.17
Turks	8.3	15.6	9.4	6.6	4.5	3.8	4.0	3.85
Roma	1.7	1.6	1.5	1.5	2.3	2.6	2.2	2.66
Vlach	0.8	0.7	0.6	0.4	0.3	0.4	0.4	0.48
Serbs	2.6	2.7	3.0	2.8	2.3	2.1	2.1	1.78
Bosniacs	-	-	-	-	-	-	-	0.84
Other	1.0	1.0	1.4	2.3	3.8	4.1	2.0	1.04

Table 2: Number of unemployed by ethnic structure

Year	Total	Maced.	Alban.	Turks	Roma	Vlach	Serbs	Other
1998	284.064	187.743	61.275	10.036	12.115	598	4240	8057
1999	261.450	176.297	52.782	9.500	11.337	533	4116	6885
2000	261.710	180.164	52.062	7.833	9.776	734	4277	6864

Table 3: Average unemployed Roma according to the level of educations

Level of education	Total	Women
NSW (unskilled)	15566	6809
SSW and IE (semiskilled)	395	80
QW (skilled/qualified)	811	175
HQW (highly qualified/skilled)	0	0
SE (secondary level)	379	140
Higher Education	7	1
University level	19	7

Table 4: Level of education and poverty (percentage)²¹⁹

Level of education	Level of poverty	Index of poverty spread	Percentage of poor	Percentage of population
Elementary (up to fourth grade)	22.9	5.4	36.8	27.7
Elementary (up to 8 th grade)	25.1	5.7	44.4	30.5
Secondary education	8.2	1.2	14.6	30.5
Gymnasium	8.5	1.1	2.6	5.3
Higher education	4.9	0.7	1.6	5.5

Table 5: Pupils enrolled in elementary schools

School year	Total	Enrolled Roma	Completed	female students
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²¹⁹ Former Yugoslav Republic of Macedonia, Focusing on the Poor, Volume II: Statistical Annex, June 1999, Human Development Sector Unit, Country Department IV, Europe and Central Asia Region

		7.602 (or 3%)	372	147
		7.757(3.1%)	400	174
		7.970 (3.2%)	518	241
2001/2002		7868 (3.2%)	598	260
2002/2003		7993	627	313

Table 6: Pupils enrolled in secondary schools

School year	Total	Enrolled Roma	Of those of female gender	Completed
1998/1999	87.420	450 (or 0.5%)	152	98
1999/2000	89.775	447 (0.5%)	178	121
2000/2001	90.990	499 (0.5%)	216	142
2001/2002		569 (0.6%)	213	130
2002/2003		637	48	140

Table 7: Enrolled students

School year	Total employed	Roma
1998/1999	34.850	19
1999/2000	36.679	30
2000/2001	40.075	57
2001/2002	44.575	126
2002/2003	45.478	136
2003/2004	46.484	93

Table 8: Graduated Roma students by years

Year	Total number of graduated	Total number of graduated Roma
1997		3
1998		2
1999	3.687	2
2000	3706	3
2001	3446	5
2002	3603	8
2003	4382	3

Table 9: Natural growth of the Roma nationality population

Year	Born	Died	Natural growth
1999	1481	445	1036
2000	1674	410	1264
2001	1606	462	1144
2002	1560	441	1119
2003	1657	476	1181

Table 10: Poverty indicators according to the Early Warning Report²²⁰

	June 2000	January 2003
Does not buy even the most necessary	23%	29%
60-80% of the monthly income is spent on food	25%	35%
40-60% of the monthly income is spend on food	30%	24%
Can allow himself to buy whatever he/she needs	8,5%	3,2%

²²⁰ МЦИЦ, Груп оф ауторс: Ассесмент оф тхе Реинтеграцион оф Дисплацед Персонс анд Ревитализацион оф тхе Регионс Аффецтед бс тхе Цонфликт ин Македониа, Октобер 2003, п.33

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Macedonians	0.249046042
Albanians	-0.24670743
Turks	-0.05984048
Roma	0.468056436
Vlach	0.313470002
Serb	-0.12474693
Bosniacs	-0.36896366
Other	0.363993235

²²¹ Human Development Report 2004 УНДП

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