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**SECOND REPORT SUBMITTED BY  
“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”  
PURSUANT TO ARTICLE 25, PARAGRAPH 1  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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**REPUBLIC OF MACEDONIA**  
**Ministry of Foreign Affairs**

**SECOND REPORT OF THE GOVERNMENT OF THE REPUBLIC  
OF MACEDONIA ON THE COUNCIL OF EUROPE  
FRAMEWORK CONVENTION FOR THE PROTECTION OF  
NATIONAL MINORITIES**

**Skopje, February 2006**

## **Introduction**

The Republic of Macedonia ratified the Convention on 27 February 1997. As an obligation within the first round of monitoring of the Convention's implementation the Republic of Macedonia submitted the Initial Report on the Convention in September 2003 followed by a dialogue with the Advisory Committee, preparation of their opinion, submitting comments by the Government regarding the Advisory Committee's opinion and adoption of the resolution by the Committee of Ministers of the Council of Europe.

The second report of the Republic of Macedonia on the Convention's implementation was prepared to the best of its ability in compliance with the Guidelines on the structure of the reports to be submitted within the second round of monitoring of the Framework Convention implementation. The report was prepared by the Ministry of Foreign Affairs in cooperation with the competent agencies and it was submitted to the NGOs for comments and opinions. Within the given period only two NGOs submitted their views on the implementation of the FCNM in the Republic of Macedonia as well as their comments on the text of the report. Due to the low response in this phase the contacts with the NGO sector continued and the Ministry of Foreign Affairs will additionally submit the comments of the NGOs.

## **I PART**

The Government of the Republic of Macedonia appreciates highly the role the FCNM Advisory Committee played for the improvement of the position of the minorities in the Convention member states and it believes that this activity should grow into a Pan-European process.

Due to the importance of the dialogue with the Committee and in order to have broader promotion of the opinion of the Advisory Committee and the recommendations from the resolution of the Council of Europe's Committee of Ministers, but also as part of the preparations for the second round of monitoring, the Ministry of Foreign Affairs of the Republic of Macedonia on 3 October 2005 organised a one-day *Seminar on the implementation of the Framework Convention for the Protection of National Minorities*. Representatives (experts) from the Council of Europe, representatives from the ministries and public agencies, the Assembly of the Republic of Macedonia, representatives of the international organisations accredited in the Republic of Macedonia as well as representatives of the NGOs involved in the promotion of the rights of the communities in the Republic of Macedonia participated in this seminar.

Apart from the presentation of the findings and recommendations of the Opinion of the Advisory Committee and the resolution of the Committee of Ministers of the Council of Europe and the comments of the Government of the Republic of Macedonia, the main topics of the Seminar were: strengthening the mutual understanding and interethnic dialogues, use of language and education of minorities, implementation of the measures

supporting the participation of the national minorities in the public administration. One of the main conclusions was that the successful implementation of the FCNM means greater involvement of the NGO sector in this area, especially having in mind the fact that the NGO sector was not involved in the preparation of the Initial Report.

In regard to the publication of the relevant documents we would like to inform you that the text of the Framework Convention was published on the official Web Site of the Government of the Republic of Macedonia dedicated to human rights.

The text of the Convention, in two languages, English and Macedonian, was published in the "Official Gazette of the Republic of Macedonia" after its ratification and officialisation as an integral part of the legal system of the Republic of Macedonia.

The opinion of the Advisory Committee, the Resolution of the Committee of Ministers on the Republic of Macedonia, translated into Albanian, Turkish, Serbian, Roma, Vlach and Bosnian languages were distributed at the above mentioned seminar. The costs for the translation of these documents were covered by the Information and Documentation Centre of the Council of Europe in Skopje.

The integral text of the Initial Report (in original and translated into English) was available at the official web site of the Council of Europe. Most of the public libraries in the Republic of Macedonia offer free of charge access to Internet for the interested citizens.

## **II PART**

### **Implementation of the FCNM, Article by Article**

#### **Article 3**

There are no novelties in regard to the Initial report.

#### **Article 4**

The prevention of discrimination is guaranteed on a number of levels:

- Constitutional guarantee and established legal framework,
- By active policies and measures – social-economic, education, cultural, etc., incorporated in the proper sector strategies,
- By strengthening the institutions that ensure prevention of discrimination,
- With special strategies aimed at certain groups.

The legislative framework for the discrimination prevention and promotion of full and effective equality make the criminal, civil and administrative legislation.

Criminal code ("Official Gazette of the Republic of Macedonia", No. 28/91, 24/92, 49/93, 37/96, 80/99, 4/2002, 43/2003 and 19/2004).

The chapter on the crimes against the freedoms and the human and civil rights, Article 137 defines it as a violation of the equality of citizens the conduct of the one who based on the differences in regard to gender, race, colour of the skin, national and social origin, political and religious convictions,

property and social position, language or other personal position or environment, will deprive or limit human and civil rights established by the Constitution, the law or ratified international agreement or who based on these differences gives the citizens advantages contrary to the Constitution, law or ratifies international agreement.

Article 319 from the Criminal Code in the Chapter on crimes against the state establishes that one will be punished for inciting national, racial and religious hatred, discord and intolerance, if s/he by use of force, maltreatment, endangering the security, ridiculing the national, ethnic or religious symbols, damaging items that belong to other, desecrating monuments, graves, or in other ways incites or stirs up national, racial or religious hatred, discord and intolerance.

Article 417 from the Criminal Code in the Chapter on crimes against humanity and the international law provisions that the one who based on different race, colour of the skin, national or ethnic origin violates the fundamental human rights and freedoms recognised by the international community is committing discrimination.

The Law on Execution of Sanctions ("Official Gazette of the Republic of Macedonia", 2/06) reaffirms the prohibition of discrimination based on race, skin colour, gender, language, religion, political and other convictions, national and social origin, kinship, ownership or social position or some other status of the person who is subject of sanctions.

The religious feelings, personal convictions and moral norms of the person who is subject of sanctions have to be respected.

There are provisions both in the civil and the constitutional legislation aimed at combat discrimination. Those provisions are not incorporated in a single act but in a number of material regulations.

The Law on Courts ("Official Gazette of the Republic of Macedonia" No. 36/95, 45/95 and 64/03).

In compliance with the law everybody has a right to equal access to the courts for the purpose of protecting human rights and legally based interest.

When electing the judges and judge jurors, in compliance with the law there must not be discrimination based on gender, race, skin colour, national or social origin, property or social status.

The Law on the Academy for the training of judges and public prosecutors ("Official Gazette of the Republic of Macedonia" No. 6/06).

The Law affirms the constitutional principle for appropriate and fair representation of the representatives of the communities. Namely in compliance with Article 25 from the Law: when constituting the academy bodies, appointing the instructors, constituting the Committee dealing with qualification and approval of candidates and Final Exam Committee the principle of appropriate and fair representation of the citizens is applied." Article 36 from the Law establishes: "When selecting the candidates for the Academy, without violating the criteria regulated with this law, proper and fair representation is provided for the citizens who belong to all the communities in the Republic of Macedonia."

The Law on Secondary Education ("Official Gazette of the Republic of Macedonia", No. 44/95, 24/96, 34/96, 35/97, 82/99, 29/02, 52/02 – reviewed text, 40/03, 42/03 и 67/04).

The law establishes that everybody under equal conditions established by this law has a right to secondary education. Additionally, the same Law forbids discrimination based on gender, race, colour of the skin, national and social origin, political and religious conviction, property and social position.

The Law on higher education (“Official Gazette of the Republic of Macedonia” No. 61/00 and 49/03)

According to the Law the citizens of the Republic of Macedonia under equal conditions have the right to education at the higher education institutions in the Republic of Macedonia. The foreign citizens also applying the principle of reciprocity could get education at the higher education institutions in the Republic of Macedonia under the same conditions as the citizens of the Republic of Macedonia. Apart from the foreigners the persons without citizenship also have a right to higher education in compliance with the terms established with law and the ratified international acts.

The Law on citizens’ associations and foundations (“Official Gazette of the Republic of Macedonia”, No. 31/98)

The Law regulates that the activity of the citizens’ association will be forbidden if this activity violates the human rights and freedoms guaranteed by the Constitution or incites national, racial or religious hatred or intolerance.

The Law on political parties (“Official Gazette of the Republic of Macedonia” No. 76/04)

The general provisions of the Law establishes that the Programme, the statute and the action of the political parties cannot be aimed at violent overthrowing of the constitutional order of the Republic of Macedonia, inciting or calling for military aggression, stirring up national, racial or religious hatred or intolerance.

Law on Internal Affairs (“Official Gazette of the Republic of Macedonia”, No. 19/95, 55/97, 38/02, 33/03 and 19/04)

The Law on Internal Affairs in the general provisions defines the internal affairs as affairs that refer to protection of the human and civil rights and freedoms guaranteed with the Constitution, as well as preventing inciting national, racial, gender or religious hatred or intolerance.

The Law on Broadcasting (“Official Gazette of the Republic of Macedonia” No. 100/05)

The broadcasters’ programmes as well as the programmes that are re-broadcasted via the communication networks must not include programmes aimed at violent overthrowing of the constitutional order of the Republic of Macedonia, inciting or calling for military aggression, stirring up national, racial or religious hatred or intolerance.

The Law on the legal status of the religious communities and groups (“Official Gazette of the Republic of Macedonia” No. 35/97)

The Law establishes that the religious gatherings, customs, press, schools, educations as well as other forms of religious expression cannot be used for political goals, inciting religious, national or other kind of intolerance as well as other actions forbidden by law.

The Law on working relation (“Official Gazette of the Republic of Macedonia” No. 62/05)

Article 6 from the Law on working relations provisions prohibition for the employer to place a job applicant (candidate) or a worker in an unequal legal position because of his/her race, colour of the skin, gender, age, health

condition i.e. disability, religious, political or other convictions, trade union membership, national or ethnic origin, family status, property situation or other personal situation.<sup>1</sup> Article 7 from this law defines and prohibits direct or indirect discrimination of a job candidate or a worker as well as exceptions from the discrimination prohibition.

The Law on Culture (“Official Gazette of the Republic of Macedonia” No. 31/98, 49/03 and 66/03-reviewed text)

Article 3 establishes that anybody could exercise culture as an individual, local or national interest with profitable or non-profitable goal, in compliance with the law, which means that the accessibility of the cultural values refer to exercising the cultural rights of all citizens in the Republic of Macedonia.

Article 4 from the Law establishes that everyone has a right regardless of the age, education, religion, ethnic or other background, of free creation, non-professional or professional as well as the right to education in the field of culture.

The Law on Civil Servants (“Official Gazette of the Republic of Macedonia” No. 9/00, 112/00, 34/01, 103/01, 43/02, 98/02, 17/03, 40/03, 85/03, 17/04, 69/04, 81/05),

In compliance with the Law the employment in the public administration is in accordance with the two fundamental principles – the constitutional principle of equal access to jobs and the merit principle – selection based on the abilities. Apart from that when employing civil servants the principle of proper and equitable representation of the citizens that are members of all the communities is applied, on all positions established by Law without violating the criteria of professionalism and competence.

Article 2 from the Law establishes the obligation for the adoption of the Annual Plans for proper and equitable representation of the community. The annual plans establish the current situation in the institutions (number and percentage of representation of the Communities concerning the civil servants and the other employees in the institutions), the employment plans, professional development and training as well the assessment of the fiscal implementation for the previously presented undertaken activities. This means that apart from the constitutional principle of equal access to jobs and the merit principle – selection based on the abilities when employing civil servants also the principle of proper and equitable representation of the citizens that belong to all the communities is applied at all positions established by the law without violating the criteria of professionalism and competence. The public employment advertisement for civil servants is published by the Civil Servants Agency (CSA) in at least two daily newspapers out of which in at least one paper published in the language spoken by at least 20% of the citizens that speak an official language different from the Macedonian.

The Law on the Use of Flags (“Official Gazette of the Republic of Macedonia” No. 58/05)

The Law on the use of flags in the Republic of Macedonia guarantees the right of the communities in the Republic of Macedonia to use a flag as an expression of their identity and particularities. The flag according to the

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<sup>1</sup> This provision was also present in the previous Law on Working Relations.

provisions from this law means a flag that the communities chose and use as a flag that expresses their identity.

The Law provisions the use of the flags of the communities in the public, official and private life.

In compliance with the Law the municipalities in which more than 50% of the population are members of a community place the flag of the Republic of Macedonia and the flag of that community in front of the municipality and its institutions. In the days of state holidays, holidays of the community, municipal holidays, visit by the President of the Republic of Macedonia, President of the Assembly of the Republic of Macedonia, the prime minister and members of the Government of the Republic of Macedonia and official visit by a president or a prime minister of a foreign state or representatives of the international community the flag of the community will be placed in front of the public buildings, public institutions and legal entities founded by the state, i.e. the municipality, the streets, squares and other infrastructural buildings.<sup>2</sup>

In regard to the issue of the need of adopting a general law against discrimination the National programme on the adoption of the European legislation encompasses a comment that an analysis will be carried out whether such a law is necessary.

For the purpose of advancing the **anti-discriminatory legislation, a Law on Equal Opportunities between Genders** was drafted and it is expected to be adopted in the first half of 2006. The definition of the notion 'equal opportunities' stems from the UN Convention on the elimination of all forms of discrimination against women. The aim of the Law on equal opportunities is to regulate the common bases for improving and advancing the status of women in establishing equal opportunities for both women and men in the political, economic, social, educational life and in other areas of social life in compliance with the European standards.

Within the context of this article we would like to remind you that the Republic of Macedonia as a member country of the European Convention of Human Rights ensures application of these fundamental rights within its legislation and practice as an integral part of the domestic legal order.

The Initial Report gave detailed information in the institutional framework for non-discrimination. Here is some Information on the things that have changed in the meantime.

As it has already been pointed out in the initial report the Ombudsman with the Amendment 11 to the Constitution of the Republic of Macedonia is required to pay special attention to the protection of the principles on non-discrimination and equal representation of the communities in the public entities on all levels and other areas of public life. This constitutional amendment was incorporated in the Law on the Ombudsman which established a new competence according to which the Ombudsman undertakes activities and measures protecting the principles of non-discrimination of the representatives of the non-majority communities in the Republic of Macedonia and their proper and equitable representation in the bodies of the public administration, the local governments and the public institutions and services.

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<sup>2</sup> Annex 1 provides an overview of the municipalities in which the flag of the communities could be put out.



In practice the Ombudsman since 2003 has been keeping records on the number of those who submitted submissions according to their national origin, and the type of violated rights. In 2004 75.50% of those who submitted submissions were Macedonians, 14.36% were Albanians, 0.18% Vlachs and 1.94 did not declared their national origin. Out of the total number of submissions in 2004 -1959, 0.26% of the submissions referred to the violation of the rights of representatives to the communities. In 2005 64% of those who submitted submissions were Macedonian Muslims while 51.1% did not declare their national origin. Out of the total number of submissions in 2005 - 3053, 0.13% of the submissions referred to the violation of the rights of representatives to the communities.

The Law on the Ombudsman envisages opening of 6 branch offices: Kumanovo, Kicevo, Stip, Bitola, Tetovo and Strumica. They were opened at the end of 2004 and started functioning in 2005 after employing the necessary civil servants. The Assembly of the Republic of Macedonia elects the Ombudsman Deputies for the branch offices. At the end of 2005 the manning of the Professional Service was partially round up with the employment of 12 officers. Thus at the moment the Ombudsman functions with 10 Deputy Ombudsmen and 57 officers at the professional service. The Professional Service employs 30 Macedonians, 20 Albanians and 2 Serbs, 2 Roma, 2 Vlachs and 1 representative of the Turkish community.

In the **municipalities** where at least 20% of the total population of the municipality established with the last census of the population are representatives of a certain community a **Committee on inter-community relations** is formed<sup>3</sup>, which consists of equal number of representative from each community represented at the municipality, elected in a way established with the statute. The Committee looks into the issues that refer to the relations among the communities represented at the municipality and gives opinions and proposals on the ways these issues to be solved.

The Framework Agreement envisaged two types of mutually related measures for providing greater participation of the non-majority communities in all spheres of public life: the principle of non-discrimination and equal treatment on one hand and proper and equitable representation on the other hand. In the Republic of Macedonia even before the Framework Agreement the principles of non-discrimination and equal treatment were legally regulated in a manner compatible to the standards of the EU and the Council of Europe. In reference to the second type of measures before the Framework Agreement in certain areas measures of *de facto* (and in the education *de iure*) positive discrimination had been practiced.

The new quality that was introduced with the Framework Agreement are the numerous measures for active and rapid change of the level of participation of the non-majority communities in many spheres, primarily by ensuring proper and equitable representation and positive discrimination.

The Government of the Republic of Macedonia in February 2003 adopted the grounds for the preparation of the Programme for improving the proper and equitable representation of the communities in the public administration and the public enterprises. In April 2003 additional measures

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<sup>3</sup> Annex 2 offers an overview of the municipalities that have Committees for intercommunity relations.

were adopted for improving the proper and equitable representation of the communities in public administration and public enterprises that refer to: strengthening the translation capacity, creating bi-lingual positions, analysis of the vacant positions at the public administration and public administration and public communication education programme. The additional measures also included preparation and carrying out training for 600 candidates for professional public administration officers who belong to the communities in order to be employed by the public administration. The employment of the first group of these candidates was organised in December 2004-January 2005 and the second group was fully employed in the administration in the course of February 2005.

Furthermore the training of 100 translators/interpreters from the members of the communities who do not belong to the majority in the Republic of Macedonia is underway for positions in the public administration and the courts. After the training the candidates will be employed at the public administration and court bodies with an obligation to stay there for at least two years after the end of the training.

In the period after the signing of the Framework Agreement the governments of the Republic of Macedonia introduced a special policy aimed at practical improvement of the equitable representation of the non-majority community in the public administration with a special emphasis on the police and military structures.

The general conclusion is that in the past three years there is evident increase in the representation of all communities in the administration which costs significant budget funds. The participation of the non-majority communities in the public administration marks an increase of 17.7% at the end of 2002, 19.7% in December 2004, 21.3 at the end of 2005 (individual representation of the members of the Albanian community grew from 11.65% in 2002, 14.54% in December 2004 to 16.1% at the end of 2005).

One should have in mind that the entire process is managed in a situation of increased budget saving and general reduction of the public administration employees which makes the process additionally complex and painful.

The medium-term Strategy for equitable representation of the representatives of the communities is in a process of adoption.

## **Constitutional Amendments**

In compliance with the Action Plan for the implementation of the Strategy for Judicial Reforms the Assembly of the Republic of Macedonia in December 2005 adopted the **Amendments from 20 to 30 to the Constitution of the Republic of Macedonia** in the field of judiciary. Namely, they pay special attention to the system of election of judges which in the previous practices showed certain weaknesses. Hence, these changes in the Constitution envisage the election and release of duties of the judges to be done by the Judicial Council of the Republic of Macedonia in stead of the previous provision according to which they were elected and released of duties by the Assembly of the Republic of Macedonia. In compliance with

Amendment 28 the Judicial Council is independent and sovereign body of the judiciary that ensures and guarantees its independence and sovereignty.

In compliance with Amendment 29 the Judicial Council has the following competencies: to elect and release from duties judges and jury judges; to establish that the judicial function ended; to elect and release from duties the presidents of the courts; to monitor and assess the work of the judges; to decide about the disciplinary responsibility of judges; to decide on depriving the judges of their immunity; to propose two judges for the Constitutional Court from among the judges and to do other things regulated by law. When electing judges, jury judges and courts' presidents it will take into consideration the proper and equitable representation of the citizens from all the communities.

Furthermore, the composition of this body was redefined. Thus it consists of fifteen members. Based on the functions the members of the Council are the president of the Supreme Court of the Republic of Macedonia and the Minister of Justice. The latest novelty is the fact that eight members of the Council are elected by the judges from among their own. Three of these members belong to the communities that do not represent the majority of the population of the Republic of Macedonia paying attention to the proper and equitable representation of the citizens that belong to all the communities.

Still for the purpose of balance of the other two powers a provision was envisaged that ensures three members of the Council to be elected by the Assembly of the Republic of Macedonia. Their election at the Assembly requires majority votes of the total number of MPs as well as majority votes of the total number of MPs that belong to the communities that do not belong to the majority in the Republic of Macedonia.

Additionally, the President of the Republic of Macedonia proposes two members to the Council which are elected by the Assembly. One of the candidates proposed by the President should be a member of the communities that do not represent a majority in the Republic of Macedonia.

Currently the activities for adopting the remaining laws from the planned corpus are underway within the framework of planned core reforms of the judicial system in the Republic of Macedonia that will fully regulate this area.

## **Article 5**

In order to maintain and increase the quality of the culture as a fundamental value in the life of the citizens of the Republic of Macedonia in May 2005 the **2004-2008 National Programme on Culture** was adopted as the strategic document for the cultural development.

In its concept the National Programme on Culture sets off from the possibility for broader understanding of culture as a way in which people relying on their own tradition creatively upgrade their current reality with new achievements and values that enhance the human rights and freedoms. Such definition of culture is built based on several fundamental principles such as accessibility, diversity, openness, responsibility and flexibility. The access to the cultural values refers to exercising the cultural rights of all citizens while the diversity refers to taking care of the wealth of diversities of the cultural

identity as well as the need of broadening the area of creative forms and artistic freedom.

The National Programme establishes the following aims:

- Cultural decentralisation;
- Utilising culture as a development resource;
- Protecting and creating cultural heritage;
- Stimulating contemporary creativity with a particular focus on the cultural needs of the young people;
- Rebuilding the dignity of the artist and his/her works and creating conditions for achieving and protecting the top cultural values; and
- Improving the culture management.

The National Programme encompasses the efforts for enlarging the material, staff and institutional premises for development of the culture **of all communities** that will ensure better conditions for its creation.

In compliance with the constitutional provisions and the international experiences in the area of culture the state is obligated to build the civil society and to support the non-governmental organisations.

In order to stimulate the development of the civil society in the Republic of Macedonia the Ministry of Culture in the course of the past three years has realised activities supporting significantly bigger number of cultural initiatives coming from the NGO sector strategically and with a programme.

In order to increase their influence in culture and their active participation in the cultural life one of the priorities of the National Programme is also the cooperation with the NGOs.

According to the Law the Department for Cultural Affirmation and Development of the Communities in the Republic of Macedonia is part of the Ministry of Culture.

The competence of the Department is established with the acts for systematisation and organisation of the Ministry of Culture and within the framework of the Department's activities it fulfils the following functions:

- professional administrative activities for monitoring the sustaining and development of the cultural identity of the communities' representatives;
- monitoring the presentation and fostering of the culture of the members of the communities;
- stimulating and developing international cooperation for technical assistance with the neighbouring and European countries, aimed at fostering and developing the cultural identity of the Communities.

In compliance with the Law on Cultural Heritage Preservation in May 2004 the **Cultural Heritage Preservation Department** was established as a body of the Ministry of Culture with a competence of a legal entity. The Department is competent for the administrative and other related professional activities in the field of preservation of cultural heritage. The Department has increased competences and authorities in performing activities related to the cultural heritage preservation. Its competences are established with the Law on Cultural Heritage Preservation.

- **Proper and equitable representation of the communities at the Ministry of Culture and the institutions in the area of culture**

In compliance with the **principle for proper and equitable representation of the members of the communities**, at the Ministry of Culture 5 representatives of the communities were employed and there is a procedure underway for approving finances for the employment of additional 6 with university degree.

At the Ministry of Culture out of 45 employees 32 are Macedonians (71%), 7 are Albanians (15%), 2 are Turks (4%), 1 Vlach (3%), 2 Serbs (2%). Apart from these the Ministry of Culture has contracts with 6 other Albanians, 1 Turk, 1 Roma, 1 Serb and 2 Bosniaks.

At the same time the national conditions in the area of culture in compliance with the principle of proper and equitable representation of the members of the communities in coordination of the General Secretariat of the Government of the Republic of Macedonia an employment procedure is underway and until the completion of the procedure these people will be engaged as contractors.

Currently out of all the employees at the national institutions in the area of culture 84% are Macedonians, 5.43 are Albanians, 2.54 are Turks, 1.77 are Roma, 2.71 Serbs, 1.12 Vlachs and 1.77 others.

- **Normative preconditions for development of the cultures of the communities in the Republic of Macedonia**

### **Cultural decentralisation**

Having in mind the Framework Agreement and the previous initiatives of certain associations for the development of the culture of the communities and in order to emphasise the efforts by the state towards fostering and affirmation of the cultural identity of the communities, facing and presenting the cultural diversities, the Law on Culture was amended in July 2003.

The amendments to the Law on Culture are aimed at creating better conditions for financing projects by the representatives of the communities, ensuring proper and equitable participation at the Council of Culture, publishing the Annual Programme also in the languages of the communities which constitute more than 20% of the population as well as creating other normative premises that will reflect the multicultural character of our state.

The decentralisation will enable all the citizens of the Republic of Macedonia to participate in culture both as creators and users. The local cultural institutions are in direct contact with the citizens because of what they are able to define the cultural needs of the citizens and the forms of their satisfaction in a more precise way that would make the cultural life richer, more diverse, more dynamic and with better quality.

In compliance with the needs for decentralisation of culture and based on the previous analysis, directions and guidelines for the organisation of the network of institutions in the Republic of Macedonia, the Government of the

Republic of Macedonia adopted a Decision for establishing a network of national institutions in the field of culture (Official Gazette of the Republic of Macedonia No. 84/03), that meant beginning of the process of decentralisation in the culture.

The Ministry of Culture in the course of 2004 in compliance with Article 94 Paragraph 1 from the Law on Culture addressed a direct call to the municipalities' councils within a 30 day period from the day the Decision for establishing a network of national institutions in the field of culture goes into effect to decide which other organisations they will take over, taking over their founding rights and establishing them as municipal-city institutions apart from the organisations from the network of national institutions. In compliance with the Decision for establishing a network of national institutions in the field of culture 51 institutions kept the status of national institutions, 48, located in 28 municipalities and the City of Skopje gain a status of local ones.

At the moment on a national level the culture is practiced by 5 libraries, 7 institutes, 9 museums, 16 cultural centres, 6 theatres, 1 film library, 1 opera and ballet house, 2 institutions managing international events "Ohrid Summer Festival" and "Struga Poetry Evenings", 1 art gallery and 1 institution for folklore presentation and preservation.

On a local level there are 27 cultural centres (including 3 workers universities and youth centres), 13 libraries, 6 museums and 2 ZOOs.

The capital Skopje with 30 institutions is the city with the most institutions followed by Bitola, Prilep and Kumanovo.

Upon a direct call, the municipality councils submitted to the Ministry of Culture decisions for taking over the founding rights of the institutions and they were established as municipal-city institutions. (In compliance with the Law on Culture 28 municipalities and the City of Skopje with their decisions took over the founding rights of 48 institutions out of which 40 are municipal and 8 belong to the City of Skopje).

The transfer of the real-estate, equipment, employees and other working means from a central to a local level was realised with agreements between the Ministry of Culture and the municipalities i.e. the City of Skopje. By the end of 2005 the Agreements were signed by 26 municipalities and the City of Skopje.

The municipalities that signed agreements, formally and legally could carry out their competences in the field of culture.

The fiscal decentralisation and financing of the municipalities from their own sources, strengthening the capacities of the municipalities especially increasing the efficiency of the local administration represent important conditions which fulfilment i.e. failure to be fulfilled will also depend on the level of practicing culture locally.

In the coming period there will be an evaluation of the level of satisfaction of the cultural needs on a local level, the size of the financing of the cultural needs from municipal sources, the administrative capacities of the municipalities in practicing culture on a local level, the readiness of the municipality to create its own local cultural production diversity of the cultural life on a local level, the situation with the local cultural facilities, etc.

The European experiences show that the process of decentralisation is complex, huge and long-term process which in many countries was realised in phases.

The competence of the municipalities in the field of culture is established with the **Law on Local Self-governance** (Official Gazette of the Republic of Macedonia No. 5/02).

In compliance with article 21 from the Law, the municipalities independently within the legal framework regulate and perform activities of public interest on a local level, according to this or some other law and they are responsible for their implementation.

In compliance with Article 22 line 5 from the Law the municipalities in the field of culture are competent for the institutional and financial support of the cultural institutions and projects, folklore preservation, fostering customs, ancient crafts and similar cultural values, organising cultural events; stimulating various specific forms of creation.

The culture on a local level apart from the Law on Culture is also regulated with:

- The Law on Museums (Official Gazette of the Republic of Macedonia No. 66/04)
- The Law on Libraries (Official Gazette of the Republic of Macedonia No. 66/04)
- The Law on Memorials and Monuments (Official Gazette of the Republic of Macedonia No. 66/04)

The listed laws provide the local governments with significant competence in the area of museum and library activities, establishing, election of management and administrative bodies, financing, etc. as well as direct competences of the unites of the local self-government to place monuments.

In compliance with the Law on Museums and the Law on Libraries, a museum i.e. a library could be founded by the municipal council. The municipal council appoints the Board of Directors of the local museum i.e. library, and the mayor appoints and releases from his/her duties the director of the local museum i.e. library.

Furthermore the given laws provision that the local museums i.e. libraries in the municipalities where they were founded and where apart from the Macedonian language and its Cyrillic alphabet also the language and the alphabet used by at least 20% of the citizens in the Republic of Macedonia functions as an official language, part of the records and the documentation are kept in both the Macedonian language and its Cyrillic alphabet and the language and alphabet used by at least 20% of the citizens of the Republic of Macedonia on the territory of that municipality.

Apart from grounds for decentralisation the given laws also provide grounds for privatisation of the libraries and museums with a possibility both domicile and foreign legal entities and natural persons to be able to found a museum i.e. a library.

The Law on Memorials and Monuments gives an opportunity for the municipalities following the procedure provisioned by the law to mark events and persons of importance for the culture and the history of the Republic of Macedonia which monuments would be of local significance.

- **Preservation of the cultural heritage of the representatives of the communities in the Republic of Macedonia**

The monuments from a historical and cultural aspect represent an expression and confirmation of the universal values that have existed in this area. Hence, one of the prime concerns of the state is the protection and preservation of the mobile and immobile cultural heritage.

The monuments' fund available to the Republic is exceptionally rich with both mobile and immobile monuments of various types and periods of their creation, with various cultural influences and styles, top cultural, historic and art values.

The only criterion for one work of art to be protected is its value. Setting off from the significance of the works, their universal values, they are treated as achievements of the entire civilisation.

During the Ottoman rule all over the territory of our state numerous buildings were built (mosques, tekkes, Turkish baths, inns, bezistens, etc.) which based on their architect values represent extraordinary examples of the Islamic art.

Having in mind the significance of the Islamic architecture buildings significant results have been achieved in the past period in the field of preservation of the most important cultural monuments especially in the area of the cities of Skopje and Bitola.

Until now full conservation, restoration and presentation has been performed on the following monuments: Sersam Ali Baba Teke – Tetovo, Ali Bey House in Tetovo, Daut-Pasha's Amam –Skopje (an Art Gallery), Chifte Amam in Skopje (Lapidarium), Yeni Mosque in Bitola (Art Gallery), the Bezisten (a covered market place) in Stip (an Art Gallery), the Bezisten in Bitola. The Orta Mosque, Hunkar Mosque in Strumica, etc. are still under reconstruction.

The following important monuments from the Islamic architecture have also been conserved: Aydar Kadi Mosque and Deboy in Bitola, and the Sultan Murat and Mustafa Pasha mosques in Skopje, etc.

In the course of 2005 in the field of cultural heritage preservation the following activities were started: a project was prepared and the conservation –restoration activities in the Debar Amam and the Kratovo Clock Tower; the architectural documentation of the Yeni Mosque in Bitola was prepared, conservation research and documentation on the medieval tower in the village of Lazec was prepared, the restoration of the ceilings of the Isaac Mosque in Bitola began as well as the archaeological research in the Yeni Mosque, the preparation of a main project for the revitalisation of the Haxhi Bey complex in Bitola; preventive protection of the wall canvases at the Stip Bezisten, preparation of the documentation and project for the Clock Tower in Kocani; preparation of the project for the Turkish Post Office in Strumica, conservation activities with protective archaeological research of the Orta Mosque in Strumica, project for the reconstruction of the right wing of the horse stalls and preventive protection of the damaged roof of Kurshumli An in Skopje.



***In the Republic of Macedonia the immobile cultural heritage is not readapted and it is protected*** based on its values and the level of the damages, regardless of the time, place and manner of its creation or who created and who is it owned or managed by as well as regardless of the fact whether it is of secular or religious character and to which religion it belongs.

There are cultural monuments of particular cultural and historic significance that in the ancient past were of religious character but during the period when the Republic of Macedonia was part of SFRY they lost their religious use (churches, monasteries and other sacral buildings of the Islamic culture). Some of these monuments with a Decision by the Government of the Republic of Macedonia have been returned to the Macedonian Orthodox Church and also several Islamic monuments of religious character are in the process of being returned to the Islamic Religious Community.

- ***Participation of the communities in cultural activities***

In compliance with the Law on Culture and for the realisation of the National Programme on Culture the Ministry of Culture adopts an Annual Programme for achieving the national interests in the field of culture used for allocating the funds provided from the Budget of the Republic of Macedonia for the current year. Within the framework of funds from the Budget of the Republic of Macedonia, programmes and projects are financed which are of national interest taking into consideration the multicultural dimension and character of the society.

***As part of the music and stage art activities*** in the course of 2005 the following activities were supported: the programme of the Albanian Theatre was supported with 4 (four) premier plays, participation at festivals abroad (Paris, France), the Friday Fever festival; also the programme of the Turkish Theatre was supported with 4 (four) premier plays, participation at festivals abroad (Istanbul, Turkey and Ljubljana, Slovenia); the Cultural Centre in Debar with three amateur plays, two in Albanian and one in Macedonian language, the 4<sup>th</sup> festival of the Albanian theatre in the Republic of Macedonia; the programme activities of the Children's Theatre Centre – Skopje with 3 (three) plays; the Association Talia from Kumanovo, a co-production project with the cultural centre in Kumanovo; the Phoenix Association from Tetovo; the Experimental Art Centre Noah from Tetovo, the Production, Theatre and Film Association Bajrush Mijaku from Skopje with 2 (two) plays. Within the framework of the drama amateurism the projects of the Roma Amateur Theatre from Skopje, Fadiloni Amateur Theatre from Skopje, the Romano Association Iljo with the Third Amateur Roma Festival and one play by the Cultural Centre Shota from the village of Negotino, Polog as well as a play by the Cultural Centre in Struga.

The total allocated funds were 17,750,000 Denars (300,000 Euros).

For the realisation of the music art programmes the following projects were supported: Cultural-Artistic Associations "Shpresa", from the village of Velesta; "Burimet e Sharit" from Tetovo; "Ibe Palikuqa" from Skopje; "Emin Duraku" from Skopje; "Drita Deven" from the village of Saraj; "Xheladin Zekiri" from Tetovo; "Jeta e Re" from the village of Slupcane; "Karshiaka" from Skopje; "Jahi Hasani" from the village of Cegrane; "Bajram Shabani" from

Kumanovo, Cultural-Artistic Association at the Cultural Centre -"Shota, "from the village of Negotino-Polog; also the festivals: "Shara springs-2005" organised by the Cultural-Artistic Association "Burimet e Sharit" – Tetovo; the folklore festival "Shara is singing-2005" organised by the Union of Albanian Cultural-Artistic Associations in Macedonia; "Skopje celebrates", organised by the Municipality of Cair; "Kenge Jeho" from Struga; and "Days of Culture in the Republic of Macedonia - 2005" organised by the Municipality of Zajaz; Adrian Gaxha musical project dedicated to Mother Theresa, organised by the citizens association "Skopjankata Majka Tereza" from Skopje; publication of a musical CD of the ethno-jazz band "Tung-tung"; Children's Festival "Rainbow 2005" organised by the musical production company "Prima ADEM,,DOOEL-Skopje"; as well as the festival of children's folk songs "Prespa Nightingale", Organised by the Folklore Association "Prespa Nightingale" from the village of Nakolec-Resen. Also the projects of the Association of Albanian musicians and ballet dancers in Macedonia were supported: "Multi-kulti" Festival, recitals, the "Multi-kulti" master-class seminar - Struga 2005, publication of CDs by Sihana Badivuku – violin and Blerim Grubi-viola. In the course of the years also the following programmes of the Cultural Centre "Iqo Anteski-Smok"-Tetovo were supported: Tetovo Cultural Summer festival, the activities of the choirs, Tetovo accords, the New Year's Concert and the Cultural Centre from Debar with the festival of old town Albanian songs "Penestia 2005" and the work of the children's singing groups.

Projects organised by the members of the Roma community supported by the Ministry of Culture are the following: the Fifth festival of Roma Dances and songs "Rushit Shakir" from Kumanovo, also the activities of this Cultural-Artistic Association were supported, and the Cultural-Artistic Association "Pralipe" - Tetovo. The Vlach community was supported through the Association for Sustainable Development of the village of Malovishta and the villages below Pelister "EKE" from Bitola and the realisation of the Ethno-festival "Malovishta 2005' – international folklore festival of the Vlach tradition and culture, the Art-Kul-Association for art and culture from Krusevo with the publication of a CD "Anthology of the Vlach songs" and the Vlach Cultural-Artistic Associations "Pitu Guli" from Skopje and "Ljupco Santov" from Kocani. Also the projects of the following Cultural-Artistic Associations were supported: "Karadzaoglan" from the village of Konce-Radovis, "Yeni Hayat" from Tetovo, "Yeni Yol" from Skopje, "Yeni Hayat" from Radovis, "Bahar" from the village of Calkali-Valandovo, as well as the festival "Hid Bah Shen Fest" held in the vilalge of Calkali-Valandovo, organised by representative of the Turkish community. In regard to the representatives of the other communities the Cultural Centre of the Bosniaks in the Republic of Macedonia from Skopje and the Association of Serbs, Macedonians and Montenegrins from Tetovo were also supported.

The total allocated funds were 4,438,000 Denars (75,000 Euros).

In the **publishing sphere** the support was given to the 27 publishing companies from the Albanian community with a total of 52 titles as well as two books of Albanian authors published by other publishing companies; six (six) magazines as well as the events The Days of Naim in Tetovo, Meetings under the Oak Tree in Skopje, Karadak Poetry Gatherings in Kumanovo and the literary festival of the Art Club from Debar; as well certain publications were bought. Within the framework of the programme two publishing companies

were supported with three titles from authors from the Turkish community; two titles from authors from the Serbian community; the Cultural Union of Vlachs in Macedonia was supported with one title and one magazine; also the Republic centre for cultural, educational and spiritual development of the Roma with one title and the International Centre for Language, Literature and Culture of the Roma with one title in Macedonian and one in Roma language and one magazine.

The total allocated funds for the support of this programme were 12,539,000 Denars (210,000 Euros).

In the **gallery presentation sphere** the projects of the following individuals were supported Nehat Beshiri, Adem Kastrioti, Kosta Vangelovic, Vana Urosevic, Afrodita Kiki, Ismet Jonuzi, Erkan Ozdilek at the Museum of Contemporary Art and the National Gallery; the projects of Jakup Hajro, Fehrid Spahija, Maja Erdelanin and Joana Popovic, Enver Selimi, Bashkim Mexhiti and others at the Cultural-Information Centre in Skopje, the exhibition of photographs by Ilhan Osmani at the Macedonian Cultural Centre, art exhibitions by famous artists in Stip, Struga, Tetovo, Kumanovo, Gostivar, Debar as well as other institutions in the field of culture. Within this programme also the programme activities of the Association of Artists from Tetovo, the Art Vision Association from Skopje, the Association of Art and Culture A3, Draudakum Association of Artists, as well independent projects of artists were supported.

The total allocated funds for the realisation of activities in this field were 2,960,000 Denars (50,000 Euros).

In regard to the activities related to **film** the project "FATHER" by Shqipe Nuredini produced by "Odeon Stage 7" from S, was supported with funds in the amount of 3,570,000 Denars (60,000 Euros).

In the sphere of **museum activities** apart from the support of projects that are part of the programmes of the institutions in this field such as archaeology, ethnology, history research, exhibitions and other activities were supported with special emphasis on the ethnological and historic exhibitions at the Museum of Macedonia, the Museum of the City of Skopje, the Tetovo Region Museum, the Kumanovo Museum with research on the topic of the Culture of the Albanians in Kumanovo and its surrounding and the Roma in the Kumanovo area, the ethno Fair in Krusevo, celebration of important events and persons at the Struga Museum and a festival of national costumes. Within the library activities the programmes of 5 (five) national libraries in Skopje, Tetovo, Ohrid, Bitola and Stip were supported with procurement of books, processing of the library fund, exhibitions and other presentations related to the library activity as well as projects in this field at the libraries which are part of the Cultural Centres in Gostivar, Struga, Kicevo, Debar. These institutions apart from books and magazines in Macedonian language also have books and magazines in the languages of the other communities. Part of the library fund of these institutions is enriched by purchasing books that have been financed by the Ministry through its publishing activities.

In the course of the year the Ministry of Culture publishes special advertisements for support of **projects by NGOs and citizens' associations in the field of culture**. Thus the projects of the following organisations were supported: Art Club, Debar, Centar Ideal, Tetovo, Citizens Association Future,

Gostivar, the Association of Serbs and Montenegrins, the Association of Vlach Citizens Kavalioti Moskopole, the Association Romano Vas, Skopje. For the realisation of the given projects funds in the amount of 1,010,000 Denars (17,000 Euro) were allocated.

## **Article 6**

### **Projects implemented by domestic and foreign organisations in cooperation with the Department for Development and Promotion of the Education in the Languages of the Communities**

**The multicultural and the intercultural education, education activities concerning the issues of peace and the rights of children, tolerance, gender equality and unity:** Projects implemented by domestic and foreign organisations in cooperation with the Department for Development and Promotion of Education in the Languages of the Communities.

**Interethnic understanding** in the education process is an issue that Ministry of Education and Science dedicates special attention, and it is represented in the 2005-2015 National Programme for Education Development.

The Department for Development and Promotion of Education in the Languages of the Communities within the framework of its competences and missions for building peace, tolerance and trust implements **multicultural, intercultural and interethnic understanding** via organised seminars, workshops, multiethnic clubs at the primary and secondary schools, as well as additional activities in cooperation with the Government of the Republic of Macedonia, the coordinative bodies of the Government, with the educational institutions in the country, foreign states and international organisations. It cooperates on and approves the programmes aimed at improving the education quality and conditions in the languages of the different communities carried out by both governmental and non-governmental organisations, as well as activities for building inter-ethnic understanding in the multiethnic education institutions, etc.

The Education Development Bureau (competent for the schools' syllabus and textbooks) promotes the **interethnic understanding** at the primary and secondary schools via the subjects from the sphere of social studies and the subject called Civil Education as well as through project missions financed by both domestic and foreign organisations.

## **Chronology:**

### **2003**

1. Citizens' Association **Equal rights for all - HARMONY** in cooperation with the Department at the Ministry of Education and Science from March 2003 till March 2004 implemented the project "**Interethnic**

**relations development and prevention**” at the primary schools in the Republic of Macedonia- Municipality of Gorce Petrov. The main aim of the project is to build relations of understanding and communication within the multiethnic society. The project was financed in cooperation with the Institute for Sustainable Communities.

2. **“PRONI” - institute**, the institute for social education from 1 January 2002 till 31 December 2004 in cooperation with the Department at the Ministry of Education and Science and the Agency for Youth and Sport implemented the University Course project called **“Leadership in developing the youth activities”** in Skopje and Tetovo, financed and assisted by Sweden, Ireland and the Netherlands.

3. **“LULUDI”** – the Roma Association for women and young people in cooperation with the Department at the Ministry of Education and Science implemented the project **“Common steps”** at the Municipality of Cair, between 1 April 2003 and 30 July 2003.

4. **“Institute for Sustainable Communities”** in cooperation with the Department at the Ministry of Education and Science implemented the project **“Multi-ethnological mosaic”** at the primary multiethnic schools in Skopje between April and December 2003 .

5. **Centre for interethnic tolerance and refugees** in cooperation with the Department at the Ministry of Education and Science implemented the project **REAL-Macedonia** in Gorno Blace and Dolno Blace, Pobožje, Ljubanci and Ljuboten, from 1 July 2003 till 15 November 2003.

6. **Women’s Association - Radika** in cooperation with the Department at the Ministry of Education and Science implemented the project **Human (women and girls) trafficking as organised crime** at the secondary and primary schools in the Reka region between 9 May 2003 and 9 May 2004 .

7. **SOS - Kumanovo** in cooperation with Ministry of Education and Science, the Department at the Ministry of Education and Science, the NGO SOS - Kumanovo, **Women’s Association - Kolo of the Serbian Sisters-Kumanovo**, the Albanian Association for Human Rights **Besa 2003** - Kumanovo Environmental Association **Natira** - Lipkovo, Environmental Association Izgrev - Sveti Nikole realised the project **THE FUTURE NOW** at the primary and secondary schools in Kumanovo, Lipkovo and Sveti Nikole. The project lasted for 4 months (February - May 2003).

8. The Foundation for education and cultural initiatives **Step by step** in cooperation with the Ministry of Education and Science and the Department for Development and Promotion of Education in the Languages of the Communities at the Ministry, the Foundation Opens Society Institute, the NGOs **Dendo Vas** - Skopje, **DROM**”, **“KHAM”** - Kumanovo, Help for the disabled and the poor - Prilep, realised the project **Education of the Roma**. The project Step by step in the period between 1996 and 2003 was present in 89 primary schools in the Republic of Macedonia. Target groups: 4 Roma settlements, the primary school Dame Gruev - Skopje, Lozja, Sredorek - Kumanovo and Trizla -Prilep. Four primary schools: Dobre Jovanovski - Prilep, Karpos and 11 Oktomvri - Kumanovo and Straso Pindzur - Skopje.

9. Roma Humanitarian Association for Women **“KHAM”** - Kumanovo in cooperation with the Ministry of Education and Science and the Department for Development and Promotion of Education in the Languages of the Communities at the Ministry, the Foundation Opens Society Institute, United

Nations High Commissioner for Refugees “UNHCR”, the American Refugee Committee “ARC”, realised the project “Educational Centre FUTURE”, financed by the AGRD Programme from Japan.

10. **Centre for multiethnic tolerance and refugees** in cooperation with the Ministry of Education and Science realised the project “**Together we are stronger**”. The project was realised in the course of 4 months between April and the end of October, at the primary school “Petar Zdravkovski - Penko” - Skopje.

11. **SOS - Kumanovo** in cooperation with the Ministry of Education and Science and the Department for Development and Promotion of Education in the Languages of the Communities at the Ministry, the NGO Serbian Community from Kumanovo, Albanian Association “El Hilal-Kumanovo”, the Roma Association for Human Rights “Arka”-Kumanovo, the Environmental Association “Natira” - Lipkovo and the Environmental Association “Izgrev” - Sveti Nikole, realised two pilot projects “**We want to live together**” and “**Educational Youth Centres**”. They were implemented in the period of 2003-2004. They were realised at the primary and secondary schools in the Municipality of Kumanovo, Staro Nagoricane, Sveti Nikole and Lipkovo.

## 2004

12. **Association for the development of the undeveloped regions “VISION”** in cooperation with the Ministry of Education and Science, the Department for Development and Promotion of Education in the Languages of the Communities at the Ministry, the French CARITAS and the Primary School Ss. Cyril and Methodius –Kuceviste realised the project “**CHILDREN’S RIGHTS**”.

13. **Environmental Association Izgrev** - Sveti Nikole, in cooperation with the Department for Development and Promotion of Education in the Languages of the Communities at the Ministry, realised the project “**Initiating a procedure for adopting the plan for developing volunteering in the Republic of Macedonia**”. Partner members of the EDMP Regional Office: SOS - Kumanovo, Youth Cultural Centre - Bitola, Humanitarian Volunteering Association of Roma “Mesecina”- Gostivar and “Multikultura” - Tetovo.

14. **The First Children’s Embassy in the World “Medjashi”** in cooperation with the Department for Development and Promotion of Education in the Languages of the Communities at the Ministry of Education and Science realised the project consisting of activities for **strengthening the operation of the 5 multiethnic clubs in Skopje, Kumanovo and Tetovo**. The project was implemented within a period of 1 year in the course of 2004 and 2005.

15. **Centre for the Roma Community “DROM”** in cooperation with the European Centre for Minority Issues, the Department at the Ministry of Education and Science implemented the project “**MOSAIC**”, which encompasses the secondary school students from Kumanovo. Implementation period - February - May 2004.

16. **Citizens’ Association for Democracy and Prosperity “KOLEGIUM”** - Bitola, in cooperation with the Department at the Ministry of Education and Science, through the Institute for Sustainable Communities -

Skopje implemented the project **“Rainbow Umbrella”**, at the Primary Schools “Goce Delcev”, “D-r Trifun Panovski” and “Stiv Naumov”.

17. **Centre of the Roma Community “DROM”** with the support by the Department at the Ministry of Education and Science applied to the European Agency for Reconstruction and Development for the realisation of the project **“The Future of the Roma”**.

18. **FOUNDATION “Open Society Institute”** in cooperation with the Foundation “Step by Step”, 5 Roma NGOs and the Department at the Ministry of Education and Science have been working on the project **“Roma education programmes in Macedonia”**, funded by USAID and the Foundation in the period between September 2004 and September 2007.

## **2005**

19. The First Children’s Embassy in the World “Medjashi” in cooperation with the Ministry of Education and Science and the Department for Development and Promotion of Education in the Languages of the Communities, from January 2005 till December 2006 is implementing the project **“Being friends through multiethnic cooperation at the multiethnic clubs in 5 secondary schools in Skopje, Tetovo and Kumanovo”**.

The main aim of the project is to develop a multiethnic dialogue and improving the cooperation between the teachers and the secondary school students with different ethnic origin and strengthening the capacities of the 5 multiethnic clubs in the schools.

The project is financed by the European Union through the Delegation of the European Commission in Skopje within the framework of the programme “European initiative for democracy and human rights”, and supported by OSCE, UNICEF, the Council of Europe and the Ministry of Education and Science - the Department for Development and Promotion of Education in the Languages of the Communities,

20. The Macedonian centre for civil education in cooperation with the Ministry of Education and Science - the Department for Development and Promotion of Education in the Languages of the Communities, from January 2005 till December 2006 is implementing the project **“Interethnic communication and cooperation among the students in the ethnically mixed primary schools in the Republic of Macedonia”**. The main goal of the project is to develop interethnic dialogue, tolerance, strengthening the rights of the children, conflict resolution, peace building and improving the cooperation between the teachers and the students in the primary schools. The project is financed by the Catholic Relief Services (CRS) and it is being implemented in the course of 2005-2006.

### ***Mechanisms for establishing interethnic dialogue on a local level***

In order to ensure establishing of an interethnic dialogue on sensitive issues related to the languages and culture of the smaller ethnic communities in the municipalities, as well as the ethnic integrity of the communities that

represent a minority in a given municipality, the Law on the Local Self-government envisages an obligation for the regulations of the municipality that refer to the culture, the use of languages and the alphabet used by at least 20% of the citizens in the municipality and the establishing i.e. use of the crest and the flag of the municipality to be adopted with majority votes of the present members of the Council as well as majority votes of the present Council members who belong to the communities that do not represent the majority population in the municipality.

The Law on the Local Self-government establishes the obligation of the municipality bodies (the Council and the mayor), the council committees and public services founded by the municipality, to inform the citizens free of charge:

- about its activities, as well as
- about the plans and programmes that are important for the municipality development in a way established by the statute.

## **Article 7**

Currently we are working on amending the Law of citizens' associations that would have an impact on the rights to associate to which this article refers directly and we will submit information about this after the adoption of this Law.

## **Article 8**

The Initial Report elaborates in details the legal framework on the right of every person, member of a community to express his/her religious convictions and to found religious institutions and associations.

The Government of the Republic of Macedonia would like to inform you that it is currently working on drafting a new Law on religious communities in compliance with the recommendations received from OSCE/ODIHR. This law is expected to be adopted by the end of 2006, at the latest.

Having in mind the fact that exercising freedom to practice religion is one of the fundamental values of our legal order in preparing the regulations in this area, the Committee on Relations with the Religious Communities has accordingly involved experts, representatives of the religious communities and religious groups, NGOs and citizens' associations.

The new Law envisages some new solutions.

First of all it proposes change in the title of the Law (Law on churches, religious communities and religious groups) which is being harmonised with the realistic existence of churches which in that way are separated in the terminological sense from the other religious communities and groups. In that regard for the first time there will be precise definition of the church, the religious community and religious group.

In regard to the legal status of churches, the religious communities and religious groups the most important novelty is that that status is acquired with



a registration at the competent court by introducing the unique court register unlike so far when the registration was made at the state body competent for the relations with the religious communities.

The proposed law envisages practicing religious customs also at institutions such as hospitals, foster homes for children and elderly, military and police institutions, prisons, etc. The Law also regulates the visits to various festivities and holy places both in the country and abroad.

A novelty in this law is that churches, religious communities and religious groups have a right to establish civil educational institutions on all levels of education with the exception of primary schools.

Regarding the incomes of churches, religious communities and religious groups apart from the already existing ways of acquiring and using these incomes this law also enables registration of an economic activity to which taxation obligations will apply as regulated with other laws.

In the course of February 2006 the first draft text of the new law (initiated by the Committee for relations with the religious communities) was initially prepared by experts in this field. The process is carried out in a transparent manner by involving the representatives of all the religious communities, NGOs as well as members of the Expert Panel for freedom of religion and convictions. In the coming period another round of consultations with the religious communities, the OSCE and other experts is planned after which the text will be finalised and submitted to the Ministry of Justice as the formal manager of this project after which the regular procedure will follow (at the Government and the Parliament).

## **Article 9**

### **Paragraph 1**

The respect of the basic principles and standards for exercising the freedom of expression in the languages of the national minorities/communities via radio and television during the second report period, was additionally strengthened with the adoption of the new **Law on Broadcasting** ("Official Gazette of the Republic of Macedonia" No. 100/05). Since this Law went into effect the old Law on Broadcasting (Official Gazette of the Republic of Macedonia" No. 20/97) and the Law on founding the public enterprise Macedonian Radio-Television Station (Official Gazette of the Republic of Macedonia" No. 6/98, 98/2000 and 78/2004) no longer apply. The latter does not apply any more because the provisions that refer to the public broadcasting enterprise are now part of the new Law on Broadcasting.

The Law in a number of articles precisely defines the obligations and/or possibilities that the public broadcasting enterprise Macedonian Radio and Television Station (MRT) and the commercial radios and televisions regarding broadcasting programmes in the languages of the ethnic communities in the Republic of Macedonia.

The programme services that MRT offers are provisioned with Article 117 from the Law and it also includes one television programme service (Paragraph 1) and one radio programme service (Paragraph 2) in the language spoken by at least 20% of the citizens, different from the Macedonian language and in the languages of the non-majority communities. In regard to the special radio programmes for the emigrants and the citizens

of the Republic of Macedonia who live abroad the MRT broadcasts also radio programmes in the language spoken by at least 20% of the citizens, different from the Macedonian language and in the languages of the non-majority languages (Paragraph 4). Programmes for the members of these communities that leave outside the Republic of Macedonia should be incorporated in the satellite programme services – one radio and one television programme (Paragraph 5).

In regard to the commercial broadcasters in Article 82 Paragraph 1 it was established that the “broadcasters broadcast the programme in Macedonian language, and in cases when the programme is aimed at a community which does not represent the majority it is the language of that community”. With this, *de jure*, the provision from the previous Law on Broadcasting (“Official Gazette of the Republic of Macedonia” No. 20/1997), which provisioned that the private broadcasters in the minority languages should also broadcast in Macedonian language no longer applies. Still it is necessary to be emphasised that this legal provision *de facto* was never applied, i.e. contrary to the comments from Paragraph 63 (Chapter 3) and Paragraph 128 (Chapter 4) from the Opinion on the Republic of Macedonia by the Advisory Committee on the Framework Convention for the protection of the national minorities (from 27 May 2004) this has never caused any problems when allocating concessions to the broadcasters who broadcast a programme in the languages on the non-majority communities.

## **Paragraph 2**

This law that regulates the manner and the conditions of broadcasting introduces the principle of giving broadcasting permission instead of the previous principle of concessions.

Article 7 defines that the broadcasters could be a public broadcasting enterprise, broadcasting company and non-profitable broadcasting institution.

The public broadcasting enterprise which covers the entire territory of the Republic of Macedonia and functions as a public broadcasting service (Article 8 Paragraph 1) is the Macedonian Radio-Television Station – MRT (Article 115 Paragraph 1) and the way and the conditions under which it operates are regulated with the Law on Broadcasting (Article 8 Paragraph 2).

The new Law on Broadcasting will introduce changes in the position of the public broadcasting enterprises that work locally. Namely, Article 173 provisions that within a period of 6 months, after the Law goes into effect, the Broadcasting Council in cooperation with the Information Agency and with MRT, will check the situation of the existing local public broadcasting enterprises and will decide about the direction their transformation will go to. Some of them will continue to function as entities in the public sector, but on a level of regional production centres of MRT (possibility envisaged in Article 115 Paragraph 3); some will be transformed in broadcasting companies and some into non-profitable broadcasting institutions. Those which within a period of six months will not transformed will stop operating. Having in mind that the broadcasting of a programme in the languages of the non-majority communities in the Republic of Macedonia is of public interest, the competent institutions that will work on the preparation of the decision for transformation will certainly have in mind that some of the existing local public broadcasting enterprises are already broadcasting such a programme. In any case in Article

173 the programme conditions are given as one of the elements of the decision for transformation.

Founders of the broadcasting companies could be legal entities and natural persons (Article 9). The Broadcasting Council allocates them a licence to broadcast (Article 37 Paragraph 1 line 2) that regulates the nature of the programme service (Article 42 Paragraph 2). The licence is issued based on a competition and in a procedure which is transparent and ensures equal, equitable and non-discriminatory treatment of all the participants (Article 43). Before the competition is published the Broadcasting Council carries out public survey and analysis that need to show what kind of services the public needs and could consult the stakeholders (Article 45 Paragraph 1). Among the criteria used for assessing the applications at the competition (Article 51) are the nature of the offered programme service, genre and topical diversity of the programme contents, percentage of participation of the programmes that are produced in Macedonian language or the languages of the non-majority ethnic communities that live in the Republic of Macedonia in the overall planned daily programme, programmes that incite development and fostering national culture, etc.

One of the novelties of this Law is the introduction of the third sector in the broadcasting sphere that consists of non-profitable broadcasting institutions. They can be founded by educational, cultural and other institutions and citizens' associations and foundations in order to satisfy the needs and the interests of the specific target groups (Article 10). They broadcast their programme services based on the broadcasting licences issued by the Broadcasting Council. One could expect that the non-majority communities in the Republic of Macedonia, especially the smaller ones will be able to satisfy their needs for radio programme in their language by founding non-profitable broadcasting institution which is in the context of the remark in Paragraph 129 (Chapter 4) from the Opinion on the Republic of Macedonia by the Advisory Committee concerning the Framework Convention for the protection of the national minorities adopted on 27 May 2005.

Article 68 from the Law among the principles on which the radio and the television programme is based lists the openness of the programmes to expressing different cultures that are part of the society; equality of freedoms and rights regardless of gender, race, national, ethnical and social origin, the political and religious convictions, property and social position of the person and citizens; stimulation of the spirit of tolerance, mutual respect and understanding among individuals of different ethnic and cultural origin; fostering and maintaining the national identity, language, culture and art, etc.

The new law in order to additionally strengthen the fostering of cultural and linguistic uniqueness of every ethnic community in the Republic of Macedonia envisages that "the broadcasters are obligated to broadcast at least 30% programme originally produced in Macedonian language or in the languages of the non-majority communities who live in the Republic of Macedonia on daily bases ..." (Article 74 Paragraph 1) i.e. the broadcasters are obligated to provide at least 30% of the broadcasted vocal-instrumental music in Macedonian language or in the languages of the non-majority communities who live in the Republic of Macedonia" (Article 74 Paragraph 2). This obligation is bigger for the MRT's radio programme services, which are obligated within each radio programme service to ensure at least 40%

programme daily originally produced in Macedonian language or in the languages of the non-majority communities who live in the Republic of Macedonia (Article 124 Paragraph 2). MRT's also has an obligation concerning the music because the public service is obligated 45% of the vocal-instrumental music to be in Macedonian language or in the languages of the ethnic communities who are not a majority in the Republic of Macedonia" (Article 124 Paragraph 3).

The law is trying to offer more comprehensive solutions guaranteeing the use of the languages of the non-majority communities on the radios and TV stations which programmes are dedicated to them. Hence, it deals with the issue of subtitling the programmes or parts of the programmes in foreign languages that are broadcasted by the broadcasters in the Republic of Macedonia and it envisages that "... in case when a programme is dedicated to a community which is not a majority "the programmes or portions if the programme will be subtitled" in the language of that community" (Article 83 Paragraph 1). The issue of the translation of the commercials and tele-shopping videos (Article 104) is resolved in the same spirit. Attention is also paid to the announcements of programmes in foreign languages that are not translated and it is determined that the language of the community which is not a majority and which is the target group of a certain broadcaster (Article 83 Paragraph 3) will be used.

Having in mind the fact that this law regulates the organisation of some of the bodies and entities in the broadcasting area it looks after the involvement of the members of the non-majority communities. In the case of the Broadcasting Council, the Law even before required proper representation of the members of the non-majority communities, something that was always put in practice. Hence, the provision from Article 24 Paragraph 3 from the new Law on Broadcasting according to which its composition requires appropriate and equitable representation of the citizens who belong to all communities, which means maintaining continuity. The new legal solution regulates that the Council of the Macedonian Radio-Television Station (MRT) should pay attention to the proper and equitable representation of the citizens from all the communities who live in the Republic of Macedonia (Article 127 Paragraph 5). At the same time the list of authorised entities who could propose candidates to be members of the MRT's council also include: the Tetovo State University "Tetovo"; SEE University from Tetovo as well as the national institutions such as the Albanian and the Turkish Theatre. It is important for one to mention that Article 130 Paragraph 3 regulates that certain decisions by the MRT's Council "are adopted with majority votes of the total number of members of the MRT's Council including majority votes of the total number of members of the MRT's Council who belong to the communities that are not the majority in the Republic of Macedonia".

### **Paragraph 3**

A total of 153 radios and TV stations out of which 30 were public broadcasting enterprises, and 123 were broadcasting companies operated in the Republic of Macedonia in December 2005.

1. Macedonian Radio-Television Station (MRT), as a public broadcasting service on a national level, apart from the rest of the programme services, it broadcasts also television and radio programmes in the languages

of the ethnic communities. The public broadcasting sector on a local level consists of 29 public radio stations. Those local broadcasting enterprises which work in the areas with a bigger number of representatives of the non-majority ethnic communities broadcast also radio programmes in the languages of those communities.

1.1. The Macedonian television (MTV) on its second channel (MTV2) every week broadcasts 65 hours programme in Albania language, 17 hours and 30 minutes in Turkish languages and 1 hour and 30 minutes for each of the remaining four languages: Serbian, Roma, Vlach and Bosniak. In these four languages (Serbian, Roma, Vlach and Bosniak) also once a month there is a 60 minutes programme mainly of entertaining or documentary character. Among the programmes in the languages of the communities the most frequent genres are the news and informative programmes, as well as documentary, entertaining and children's programmes. The transfer of television programmes in the languages of the non-majority communities from MTV 3 (as it was the case at the time of the submission of the Initial Report of the Republic of Macedonia on the Framework Convention for the Protection of National Minorities) to MTV 2 happened when MTV 3 was transformed into a Parliamentary Channel which happened in March 2005. The change did not have any negative consequences on the programmes in the languages of the ethnic communities.

Macedonian Radio Station (MR) broadcasts programmes in the languages of a number of ethnic communities. In this regard at least 56 hours of programme are broadcasted in Albanian language, 35 hours in Turkish, and at least 3 hours and 30 minutes a week are planned for the programmes in Roma, Vlach, Serbian and Bosnian languages.

In this regard it is important for one to emphasise that contrary to the conclusion from paragraph 127 from the Opinion on the Republic of Macedonia by the Advisory Committee, the TV channel which broadcasts programmes only in the languages of the minorities was not created in 2002. namely among the TV programmes in the languages of the ethnic communities the oldest is the one in Albanian language which dates from 1967, and the youngest in the programme in the Bosnian language which was created in 2002. Among the radio programmes the earliest introduced were the ones in Albanian and Turkish languages (in 1945) and the latest programme is the programme in Serbian and Bosnian languages (in 2003). With the changes which happened in 2002 only the duration of the existing programmes was increased and programmes in the languages of some of the smaller communities were introduced. Also one of the channels was made available completely for the broadcasting of the programmes of the ethnic communities.

1.2. Among the local public broadcasting enterprises, apart from the Macedonian language programmes also programmes in the Albanian and Turkish languages are broadcasted on Radio Tetovo, Radio Gostivar and Radio Debar; Radio Struga has programmes also in Albanian, Turkish and Vlach languages; Radio Kumanovo broadcasts in Albanian, Roma and Vlach languages; Radio Kicevo broadcasts in Albanian language and Radio Krusevo apart from Macedonian language it also broadcasts in the Vlach language.

2. Out of 123 entities in the commercial broadcasting sector eight broadcast programme on national level. Out of them five are TV stations and three are radio stations. Out of 115 local broadcasting companies 50 are TV stations and 65 are radio stations.

2.1. Among the five commercial television stations on a national level there is one which broadcasts in Albanian language. It is "Alsat-M" which got a concession at the fifth competition for allocating broadcasting concessions realised in 2004. In this way the demand of the Albanian community in the Republic of Macedonia was satisfied, something that was pointed out in the comment in paragraph 63 (Chapter 3) of the Opinion on the Republic of Macedonia by the Advisory Committee on the Framework Convention for the Protection of National Minorities (from 27 May 2004).

2.2. For a number of years now, programmes in the languages of the ethnic communities are broadcasted locally by numerous private radio and TV stations. In Tables 1 and 2 you can find the list of broadcasters which in December 2005 broadcasted programmes in the languages of the non-majority communities in the Republic of Macedonia.

**Table 1. Broadcasting Companies – Local radios that broadcast programmes in the languages of the non-majority communities in the Republic of Macedonia**

No.	Broadcasting company	Albanian	Turkish	Roma	Serbian	Vlach
1	Radio Aracina - Skopje	+				
2	Radio Vat - Skopje	+				
3	Life Radio - Skopje	+				
4	Radio Bleta - Tetovo	+	+			
5	Radio Fama - Tetovo	+				
6	Radio Rapi - Struga	+				
7	Radio Rumeli FM - Gostivar		+			
8	Radio Roma - Gostivar	+	+	+		
9	Radio Cerenja - Stip			+		
10	Radio Albana - Kumanovo	+	+			
11	Radio Jehona 2003 - Lipkovo	+				
12	Radio Merlin - Debar	+				
13	Radio Ternipe - Prilep			+		
14	Radio Rinia 2000 - Dolneni	+	+			
15	Radio Besa - Dolneni	+				
16	Radio Kiki - Struga					+

*(data provided by the Broadcasting Council of the Republic of Macedonia)*

**Table 2. Broadcasting Companies - Local TV stations that broadcast programmes in the languages of the non-majority communities in the Republic of Macedonia**

No.	Broadcasting company	Albanian	Turkish	Roma	Serbian	Vlach	Bosnian
1	TV Sutel - Skopje			+			
2	TV BTR - Skopje			+			
3	TV Era - Skopje	+	+				
4	TV Toska - Skopje	+	+				
5	TV Edo - Skopje						+

6	TV Kaltrina - Struga	+					
7	TV Art - Tetovo	+	+				
8	TV Art Channel - Struga	+	+				
9	TV Super Sky-Tetovo	+					
10	TV Koha - Tetovo	+	+				
11	TV Due - Gostivar	+					
12	TV Festa - Kumanovo	+					
13	TV Hana - Kumanovo	+					
14	TV Gura - Kicevo	+					
15	TV Uskana - Kicevo	+					
16	TV Alfa D - Debar	+					

*(data provided by the Broadcasting Council of the Republic of Macedonia)*

Their number changes because some of them fail to fulfil the legal and contract obligations because of what they lose their concessions and they are replaced by new media which get the concessions and get an opportunity to broadcast new programmes of better quality. Hence, at the fifth competition for broadcasting concessions the concessions were allocated to three new media which broadcast programmes in the languages of the non-majority communities: Radio Rapi from Struga, Radio Besa from Dolneni and TV Super Sky from Tetovo. Another concession for a local radio in Albanian language in the Tetovo region was allocated but the natural person who got the concession never registered a broadcasting company and the Radio Station did not start functioning. Because of this the Broadcasting Council submitted a request to the Government to withdraw the concession.

On the other hand in the course of 2005 a regular procedure was carried out for renewal of the concessions when among the media which did not renew the concessions there were two which broadcasted programmes in Albanian language: Radio Visar from Tetovo and Radio Zeri and Cegranit from Gostivar. Radio Visar did not submit documents for the renewal of the concession and Radio Zeri and Cegranit failed to fulfil any of the criteria for the renewal.

In 2005 Radio Trio Forte FM from Gostivar lost its concession because it failed to pay the concession fee. The Decision was adopted by the Government of the Republic of Macedonia (No. 23 - 4139/1 - 04), upon a proposal by the Broadcasting Council.

#### **Paragraph 4**

The adoption of the new Law on Broadcasting annulled the provision of the old Law, according to which 10% of collected means from the broadcasting fee is intended for radio and TV programmes of public interest. Six competitions for allocation of these funds were realised in compliance with this provision, while the latest 7<sup>th</sup> competition started at the end of 2005.

A total of 856 programmes of public interest were allocated during the 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> competitions, which were carried out in the second reporting period. Among them, 165 are in Albanian language, most of which encompassing the TV feature production, 31 in Roma, nine in Turkish, then programmes in Bosnian language, interactive programmes in Macedonian

and Albanian languages, programmes in several languages etc. One has to mention the significant representation of programmes in Macedonian language that refer to the culture, traditions and languages of non-majority communities, including Vlachs.

Paragraph 55 of the Advisory Committee's Opinion on the Republic of Macedonia provides with a commentary that refers to the implementation of the Recommendation by the Council of Ministers No. (97) 20 regarding "hate speech". The provisions of this Recommendation, when referring to radios and TV stations, are included both in the Law on Broadcasting and in the special recommendations by the Broadcasting Council. The Law treats this issue in Article 69, according to which broadcasting of programmes aimed at violent overthrow of the state's constitutional order, or urging/calling on military aggression, or instigating national, racial, gender or religious hatred and intolerance are forbidden for broadcasting. This is supplemented by the principles of the radio and TV programmes (Article 68), which have already been mentioned in the report.

The law is also supplemented with the Recommendations of the Broadcasting Council of the Republic of Macedonia on the manner of reporting on states of tension, military or other types of armed conflicts, which was adopted in 2001. This document comes as a result of the Council's insisting to present to the media the possible solutions for the dilemma regarding their actions on statements, press releases and other content that could urge violence or encourage hatred through their public influence. The offered solutions are based directly on the Recommendations of the Council of Ministers No. (97) 20 regarding "hate speech" and Recommendation No. (97) 21 regarding media and promotion of culture of tolerance.

Prohibition for broadcasting hate speech is included in one other document of the Broadcasting Council. These are the Recommendations for the 2004 Referendum electronic media coverage, based on which the Council implemented the monitoring of the reporting by radio and TV stations during the referendum campaign.

In the context of efforts for raising the awareness among journalists regarding hate speech, one should also mention the conference "Is there Hate Speech in Macedonian Media?", which was held in Skopje on December 7, 2004, in cooperation with the Broadcasting Council of the Republic of Macedonia and Centre for Media Development, supported by Foundation Open Society Institute –Macedonia.

One can see from the facts that the Republic of Macedonia is permanently taking care of providing minority communities access to electronic media. In doing so, it tried to find new modules regarding the existence of their media and introduction and respect of provisions that would guarantee the use of their language, protection and development of their culture and traditions, as well as improvement of the quality of broadcasted programmes. Taking into account that the Strategy for Development of Broadcasting in the Republic of Macedonia (Article 174, Paragraph 1 of the Law on Broadcasting) should be prepared in the next 24 months, one can expect that other positive steps towards meeting the needs of radio and TV stations of minority communities, especially the smaller ones, will be undertaken.



In the period from June 2003 to December 2005, the Information Agency of the Republic of Macedonia registered a number of new printed media – newspapers, magazines, newsletters etc, with informative, educational, sporting, entertainment and similar content. Among them, 28 are in Albanian language, and one in Serbian.

Annex 6 provides a list of newspapers, magazines and other types of printed media registered at the Information Agency in the period from 2003 by the end of 2005.

## **Article 10**

### **Paragraph 1**

There are no novelties regarding the Initial Report. The use of language at public places in oral and written form is free and without limitations.

### **Paragraph 2**

Taking into consideration the 2001 amendments to the Constitution of the Republic of Macedonia, there were also changes in the Law on General Administrative Procedure (“Official Gazette of the Republic of Macedonia”, No. 38/2005), which regulated the use of languages and alphabets in the administrative procedure. Namely, the Macedonian language and its Cyrillic alphabet is the official language in the administrative procedure, while legal and other entities that are entitled to conduct state competencies use the language spoken by at least 20% of citizens and its alphabet in accordance with the law on administrative procedure in state administration bodies, other state bodies, municipal bodies, City of Skopje and its municipalities.

The training of 100 translators/interpreters from the minority communities in the Republic of Macedonia is currently ongoing to be employed at state administration bodies and courts. Following this training, the selected candidates shall be employed at the state administration bodies and courts, with a commitment to remain employed in those institutions for at least two years upon completion of training.

### **Paragraph 3**

Facts presented in the Initial Report are valid.

## **Article 11**

### **Paragraph 1**

For the purpose of full implementation of the amendments to the Constitution of the Republic of Macedonia and the provisions of the Framework Agreement, the Law on Personal Identity Cards (“Official Gazette of the Republic of Macedonia”, No. 16/2004) was amended in 2004 and 2005, thus enabling: “For citizens that speak a language other than the Macedonian and a language spoken by at least 20% of the citizens, the personal identity card form to be also printed in the language and alphabet that the citizen uses”.

Taking into account that other communities live in the Republic of Macedonia, the Law on Personal Identity Card (“Official Gazette of the

Republic of Macedonia”, No. 12/2005) was amended in 2005, according to which: “Upon personal request by citizens that speak a language other than the Macedonian, information on the personal name on the personal identity card is written in Macedonian language and its Cyrillic alphabet and the language and alphabet that he/she uses”.

These amendments to the Law on Personal Identity Card enabled citizens that speak an official language other than the Macedonian and the language spoken by at least 20% of citizens are given personal identity cards, where not only the application, but also the personal information is written in both Macedonian and in the language and alphabet that they use.

At the moment, applications for personal identity cards in the Republic of Macedonia are issued in Macedonian language and its Cyrillic alphabet and in Albanian language and its Latin alphabet, while the new “Project - Personal Documents” will create the technical possibilities for issuing personal identity cards, where personal information of citizens will be written both in the Macedonian language and its Cyrillic alphabet and the language and alphabet they use, in compliance with the aforementioned article.

The Ministry of Interior is the competent body for issuing personal documents to citizens.

As a result of the constitutional changes in 2001, the Assembly passed the amendments to the systematic laws in the Republic of Macedonia, which regulate the statutory issues of citizens.

The amendments to the Law on Travelling Documents of Citizens of the Republic of Macedonia (“Official Gazette of the Republic of Macedonia” No. 20/03 and 46/04) resulted in changes in the travelling documents, such as citizens’ personal documents. Namely, in compliance with the implied changes, the applications for travelling documents, as well as information in them are written in Macedonian language and alphabet, and in the language and alphabet that is an official language other than the Macedonian, upon personal request.

With the practical implementation and issuing of bilingual travelling documents, which began on 6 December 2004 and was completed on 21 November 2005, the Ministry of Interior issued a total of 76,235 travelling documents in both Macedonian and Albanian languages.

The Ministry of Interior is also obliged to issue travelling documents where information on the personal name shall, upon the citizen’s request, be put in the passport in Macedonian language and its alphabet and the language and alphabet other than the official language.

Due to technical reasons, as well as due to the preparation of the project “New Personal Documents”, the Ministry of Interior has not started, yet issuing passports with the personal names written in a language other than the official language.

In the traffic sector, the application for a driving license, the driving certificate, tractor driving licenses, automobile registration card, registration certificate and temporary registration certificate are printed and written in Macedonian language and its Cyrillic alphabet.

Project “New Personal Documents” will enable the printing of applications to citizens that speak an official language other than the Macedonian also in the official language and alphabet that the citizen uses.

All these is envisaged in compliance with the Law on Road Traffic Security (“Official Gazette of the Republic of Macedonia”, No. 14/98, 38/2002).

## **Paragraphs 1, 2 and 3**

### **Use of an official language and alphabet other than the Macedonian language and its alphabet**

Taking into consideration the constitutional and legal provisions that besides the Macedonian and its Cyrillic alphabet, the official language in the municipalities is also the language and the alphabet used by at least 20% of municipal citizens, official language other than the Macedonian is used in a total of 32 municipalities and the City of Skopje.<sup>4</sup>

The Albanian language and its alphabet is the second official language in 24 municipalities and 4 municipalities in the City of Skopje, with a total of 807,781 citizens, out of whom 476,179 are Albanians, 227,745 Macedonians, 36,560 Turks, 29,383 Roma, 15,413 Serbs, 11,522 Bosniaks, 2,153 Vlachs and 8,826 other. The Albanian language is the second official language in the City of Skopje, where a total of 506,926 citizens live, of whom just over 20% are Albanians.

The Turkish language and alphabet is the second official language in four municipalities, with a total of 21,004 citizens, of whom 12,628 are Turks, 6,230 Macedonians, 1,967 Albanians, 31 Bosniaks, 10 Roma, eight Serbs and 130 other.

The Roma language and its alphabet is the third official language (besides the Macedonian and Albanian) in one municipality, with a total of 20,800 citizens, of whom: 13,342 Roma, 5,516 Albanians, 1,391 Macedonians, 177 Bosniaks, 59 Serbs, 56 Turks, and 259 other.

The Serbian language and its alphabet is the third official language (besides Macedonian and Albanian) in one municipality, with a total of 8,493 citizens, of whom 4,019 are Macedonians, 2,426 Serbs, 1,943 Albanians, 23 Roma, 16 Vlach, one Bosniak and 65 other.

Thus, one or more official languages are used at an area populated by a total of 1,152,654 citizens or about 57% of all citizens in the Republic of Macedonia, which is an increase of about 16.7% compared to the period before 2004.

## **Article 12**

### **A. Roma language**

In the process of resolving the problems of Roma, the priorities for strategic activities implied in the **Strategy for the Roma in the Republic of Macedonia**<sup>5</sup>, as well as areas implied in the Roma Decade, are processed through the action plans of competent ministries.

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<sup>4</sup> Annex 3 provides: Municipalities where besides the Macedonian language and its Cyrillic alphabet official language is also the language and the alphabet used by at least 20% of municipal citizens.

<sup>5</sup> <http://www.mtsp.gov.mk/proekti/Romi.htm>

Tasks have been undertaken within the Ministry of Education and Science for the purpose of resolving the problems in education in the following stages:

### **1. Elementary education**

- 1.1. Increased range of students in primary schools
- 1.2. Optional teaching of Roma language
- 1.3. Introduction of Roma language as regular instruction
- 1.4. Introduction of Roma history and culture in the history of the Balkan peoples
- 1.5. Improving the conditions for students (material and financial) as a problem to be resolved at the primary schools

### **2. Secondary education**

- 2.1. Increased number of students in secondary education
- 2.2. Scholarships for enrolled students in secondary schools
- 2.3. Engagement of mentors in order to deal with problems that students face in the course of the school education
- 2.4. Opening of a secondary school in a municipality with a majority Roma population

### **3. University education**

- 3.1. Increased number of enrolled Roma students at the universities
- 3.2. Scholarships for the university students
- 3.3. Creating a Roma language section of studies at pedagogical faculties
- 3.4. Establishing departments for Roma studies

### **4. Education for adults**

- 4.1. Verification of primary schools to carry out instruction for adults
- 4.2. Registration and coverage of students with incomplete primary and secondary education
- 4.3. Training of resident Roma teachers on the use of Roma language in the instruction process.

The Ministry of Education and Science has adopted a decision for establishing a Committee for implementation of the activities envisaged with the education action plan as part of the national strategy within the Roma Decade.

In regard to the **scholarships** for Roma students enrolled in the first year of secondary schools in the Republic of Macedonia, in the **2004/2005 academic year** 272 students were included in the programmes provided by USAID, FOSIM and CARITAS.

The open competition published by the Ministry of Education and Science for the 2004/2005 academic year encompassed seven students.

The process of allocating scholarships for Roma students for the 2005/2006 academic year is still under way and has not been finalised until the submitting of this Report.

## **B. Serbian language**

- The Department provided conditions for opening a class in Serbian language at the secondary school "Goce Delcev" in Kumanovo.

- The Department submitted a request (which still waits for an answer) to University "Ss. Kiril and Metodij" – Faculty of Philology for opening of a Department for Serbian language, literature and culture.

### **C. Bosnian language**

- Following the latest constitutional changes in the Republic of Macedonia, Bosniaks have been put in the Preamble of the Constitution as an ethnic community, which according to the law on primary education has the right, as a constitutional category, to be educated in their mother tongue, in compliance with conditions prescribed by law. Several schools with a dominant number of students from the Bosniak community have submitted requests to the administration for introduction of instruction in Bosnian language by choice as well as requests for introduction of regular instruction, taking into account that the instruction in several schools is conducted in Serbian language. The Department has submitted a request for drafting syllabus for optional teaching in Bosnian language to the Bureau for Education Development. The Bureau responded to the Department saying that a coordinator and an expert group have been designated for preparation of an optional syllabus in the Bosnian language. The process of collecting literature, as well as contacts with professors from the Sarajevo University and professors at "Ss. Kiril and Metodij" University in Skopje have been initiated. The optional syllabus is currently being prepared.

### **D. Turkish language**

- The Department has submitted a draft-request for setting off classes in Turkish language in pre-school, primary and secondary education, as well as a request for translation of textbooks for the implied levels of education in the formal and optional education, which has not been realised as yet.

### **E. Vlach language**

There have been no changes regarding the improvement of the quality of education of the Vlach community in the period between 2002 and 2005. Namely, the Vlach community in Kicevo has been submitting requests for a number of years for optional instruction for children-Vlachs, but an answer has not arrived, yet. There are such requests from Veles and Skopje too, but they have no answer.

Regarding the provision of an instruction staff in Vlach language, a one-week seminar was held in December 2003, which was organised by the Ministry of Education and Science and the Faculty of Philology, entirely financed by the Vlach community.

The Faculty of Pedagogy in Stip decided to introduce the Vlach language as an optional subject in 2003, but the faculty has not provided the funds for the professor so far.

### **F. Albanian language**

The right to education and instruction in Albanian language is regulated and has been developing without any major obstacles at all levels of education: pre-school, primary, secondary and university. The Law on the Tetovo State University was adopted in 2004 ("Official Gazette of the Republic

of Macedonia", No. 8/04), thus fulfilling the obligation for state financing of university education in the language spoken by at least 20% of citizens in the Republic of Macedonia. The instruction process at this institution (in Albanian language) began in the 2004/2005 academic year, upon its accreditation.<sup>6</sup>

### **Article 13**

According to the Constitution of the Republic of Macedonia, citizens have the right to establish private educational institutions at all levels of education, except for primary education, under conditions regulated by law.

According to Article 10 of the Law on Secondary Education ("Official Gazette of Republic of Macedonia", No. 67/2004), a domestic or foreign legal entity or natural person can establish a private secondary school based on an approval in compliance with to the implied law. Three private high schools are accredited by the Ministry of Education and Science in the Republic of Macedonia. In two, the instruction process is in English language, while in one in both English and Turkish. In the course of the 2004/2005 academic, the private high school Jahja Kemal in Skopje and Gostivar, where the instruction is in Turkish and English languages, had 771 students.

For the purpose of improving the representation of students of ethnic communities, the first private university in the Republic of Macedonia (SEE University in Tetovo) was opened in 2001, with significant support from the international community, where instruction is conducted in Albanian, Macedonian and English languages. With its opening, the total number of Albanians enrolled at university institutions by the end of the 2003/2004 academic year increased and amounted to 10.4% of the total number of enrolled students in that year.

### **Article 14**

Article 8 of the Law on Primary Education ("Official Gazette of Republic of Macedonia", No. 52/2002) stresses that education activities in the course of the primary education are conducted in Macedonian language and its Cyrillic alphabet. Regarding members of the communities, education activities are conducted in the languages and alphabets of the communities in a manner regulated by law. Students, members of the communities are obliged to learn the Macedonian language, too.

Moreover, Article 4 of the Law on Secondary Education ("Official Gazette of Republic of Macedonia", No. 52/2002) stresses that education activities in the course of the secondary education are conducted in Macedonian language and its Cyrillic alphabet. Regarding members of the communities, the educational activities in public schools are conducted in the language and the alphabet of communities in a manner and under conditions regulated by this law. Students, members of communities are obliged to learn the Macedonian language, too. Instruction in public secondary schools can also be conducted in one of the world languages. Instruction in private schools can be conducted in a foreign language, too.

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<sup>6</sup> Annex 4 provides with a review of the number of students according to the ethnicity in academic year 1992/1993 until 2004/2005.

Instruction in the education system is conducted in four languages (Macedonian, Albanian, Turkish and Serbian).

According to the curriculum for the primary schools, other languages of representatives of the communities are taught optionally (Vlach, Roma).

Reforms of elementary and secondary education have been ongoing in the last few years, accompanied by the preparation of new textbooks in the four instruction languages. According to the information from the Pedagogy Service, 175 textbooks have been approved in the last two years, for different school subjects for students from 5<sup>th</sup> to 8<sup>th</sup> grade of primary education. A large number of textbooks have also been prepared for students in secondary education, while the approval procedure for part of the textbooks (3<sup>rd</sup> and 4<sup>th</sup> year) is ongoing.

According to the Law and the public tender, textbooks should be written in the languages of instruction in the Republic of Macedonia (Macedonian, Albanian, Turkish and Serbian), while for subjects in the mother tongue for optional instruction they should be in the Roma and Vlach languages. Accordingly, the publisher that wins the tender for a certain textbook should print it in all the languages used in the schools.

The entire procedure for approval of textbooks is part of the Law on Primary Education (Article 83 to Article 93) and the Law on Secondary Education (Article 32 to Article 42).

According to the laws, all ethnic groups use textbooks in their mother tongue.

According to the language of instruction in primary education in the course of 2002/2003 academic year: 153,665 students completed their education in Macedonian language, 75,543 in Albanian, 5,825 in Turkish, and 483 in Serbian.

According to the language of instruction in secondary education in the course of 2002/2003 academic year: 74,742 students completed their education in Macedonian language, 17,135 in Albanian, 762 in Turkish, and 887 in English.

Schools with instruction in Albanian language, especially city schools, work in very difficult conditions related foremost to the lack of space. Therefore, many schools work in three shifts; there is still lack of appropriate staff, but lately there have been efforts to overcome this situation in education. Positive trends have been registered especially after the start of the implementation of the Ohrid Framework Agreement. Positive steps have been made during this period towards overcoming these problems. Almost all schools have been encompassed in certain projects, aimed at reforming and promoting educational activities; teachers' attendance to numerous seminars as means for preparation for more successful work in the complex education process; new schools are being built, while the existing situation is improving; the recognition of the Tetovo University has mitigated the lack of appropriate instruction staff; professional programmes for work of the schools and teachers are being prepared; quality textbooks are being published; efforts are being made for upgrading of the educational institutions (such as the Bureau for Education Development) with appropriate staff, who will follow the education process in the language of the national minorities and provide assistance in overcoming the existing problems.

The Ministry of Education and Science and the Bureau for Education Development have undertaken certain steps and employed huge efforts for improvement of the situation that the Turkish minority in the Republic of Macedonia is faced with. Besides the general efforts by the Ministry of Education and Science in the entire education sector in the Republic, one should emphasise the efforts for opening of new classes in Turkish language, financing new textbooks and other professional literature etc. Furthermore, when preparing the new curricula in Turkish language and the new curriculum in history, the Bureau for Education Development included teachers, members of the Turkish community, organised seminars on these topics, as well as other seminars aimed at preparing teachers from these classes to be more successful in the educational process.

The lack of appropriate teaching staff is still a problem for the Turkish community. In this regard, the Ministry of Education and Science works on its solution. Besides the existing Department at the Skopje Faculty of Philology, with the opening of new universities in the Republic and studies in the Republic of Turkey, the problem with the lack of teaching staff for certain profiles in certain subjects is gradually resolved.

The Bureau for Education Development has been continually working on project activities towards overcoming the poor conditions in the schools, especially in mixed ethnic environments. In this regard, the project "Education for All" aims at providing quality education for all students in the Republic of Macedonia, regardless of their ethnic, religious and cultural background.

Taking into account the data that the percentage of drop out of students in elementary and secondary schools is mainly from the Roma and Albanian nationality, the project has the objective of reducing it and providing conditions for their re-integration in the education system. So far, there have been seminars with principals, teachers and representatives of expert services (sociologists, psychologists), who have been trained to undertake concrete measures aimed at reducing the drop out of these students. Expert and propaganda materials have been disseminated; a survey has been conducted for revealing the reasons for this drop out, along with a strategy for future activities on how to prevent this phenomenon. Project activities are realised in cooperation with UNICEF - Skopje Office, which financially supports the project "Education for All".

A separate component of this project is the increase in the range of children from vulnerable groups in elementary and secondary education, reduction of students' drop out, improvement of conditions in Roma education with a special emphasis on the female population, provision and improvement of conditions for education of children from the rural environments etc.

This will be realised through improvement of the study environment in schools with a large number of Roma children, especially of the female population; provision of conditions for education of the community; development of an awareness for responsibility of the community, parents and other social factors; increase of the range of students that resume formal education with an emphasis on classes with the largest percentage of drop out, but also continuation in secondary education.

Activities are realised in schools and municipalities with a large concentration of Roma population, high unemployment rate and low degree of education. The inclusion of a number of non-governmental and citizens'



associations and all competent institutions and entities at the local level contribute to the successful realisation of this project.

The secondary schools attended by Roma children are also included in a project by the Foundation Open Society Institute – Macedonia “Programme for Scholarships and Mentoring of Roma Students in Secondary Education”. There are mentoring teams at the schools, comprised of teachers from the general and vocational subjects, who are obliged to help students depending on the children’s needs. The approach is mainly individual, and they work with each child individually after classes. This mentoring approach has the objective of overcoming problems that students are faced with during the schooling process, achievement of higher results, improvement of behaviour, i.e. reduction of missed classes, development of awareness about the need for education, training for self-education, continuing with the education at the university institutions, socialisation, acquiring of habits etc.

The project “Building Bridges” of AESSEC has the objective of ensuring higher social cohesion among the youth. The project is realised at secondary schools with students coming from different ethnic communities.

Furthermore, the project “European Movement” aims at acquainting students with the institutions, function and role of the European Union, European organisations and institutions.

The OSCE project “Children’s Rights” is realised at primary schools, i.e. in the 5<sup>th</sup> and 6<sup>th</sup> grades, as part of the classes on History and Macedonian Language. Students are acquainted with children’s rights and the need to be respected.

A number multicultural clubs were in most of the schools with the help of the Council of Europe and in cooperation with the Bureau for Education Development, aimed at developing awareness among students and the necessity for intercultural understanding and tolerance.

## **Article 15**

### **Legislative power:**

The **Law on election of MPs at the Assembly of the Republic of Macedonia**, adopted by the Assembly in 2002, affirms the constitutional provisions that guarantee the voting right. Namely, according to Article 3 of the law, “MPs are elected at general, direct and free elections, with secret voting. Nobody can call the voter to account for his/her vote, nor ask him/her to say who he/she voted for or why he/she did not vote”.

Every citizen of the Republic of Macedonia at the age of 18 and beyond who is capable to work is eligible to vote. Each citizen of the Republic of Macedonia has the right to be elected as an MP if: s/he turned 18 years of age; s/he is capable to work and does not serve a prison sentence for a perpetrated crime (Articles 4 and 5 of the Law on Election of MPs in the Assembly of the Republic of Macedonia).

The number of MPs from the individual communities in the current composition of the Macedonian Assembly out of the total 120 MPs 26 are Albanians, 3 Turks, 2 Bosniaks, 2 Serbs, 1 Vlach and 1 Roma, which make 29.1%. This is a significant increase in the number compared to the previous composition (following the 1998 parliamentary elections) when 27 deputies or

22.5% represented the communities (24 Albanians or 20%, 1 Roma or 0.8%, and 2 other or 1.7%).

### **Local government:**

Law on Local Elections (Official Gazette of the Republic of Macedonia, No. 45/04) reaffirms the constitutional provisions that guarantee the voting right. Namely, according to Article 3, each citizen of the Republic of Macedonia who has turned 18 years of age, who is capable to work and has permanent residence in the municipality or the City of Skopje where the elections are held, has the right to vote. Each citizen of the Republic of Macedonia has the right to be elected member of council or mayor if: s/he turned 18 years of age, is capable to work, does not serve a prison sentence for a perpetrated crime, and has a permanent residence in the municipality or the City of Skopje where elections are held.

At the 2004 local elections, the total number of elected municipal councillors was 1,391, of whom 351 or 25.23% were Albanians, 39 or 2.8% Turks, 11 or 0.8% Vlachs, 18 or 1.3% Roma, 26 or 1.9% Serbs, 6 or 0.4% Bosniaks, 15 or 1.1% other, and 33 or 2.4% unknown.

Regarding the 85 elected mayors, 16 or 18.8% were Albanians, 2 or 2.36% Turks, 1 or 1.18% Roma, 2 or 2.36% Serbs, and 3 or 3.54% unknown.

### **Executive power:**

Pertaining to the executive power, all prior Governments elected by the Macedonian Assembly were coalition governments, in which one of the parties of the Albanian community acted as a coalition partner.

Five of the 18 Government ministers come from the Albanian community. One Albanian is also Vice-President of the Government.

In order to improve the situation with the representation of members of communities in **judicial institutions**, the Government of the Republic of Macedonia has realised a number of activities. Within the framework of the PACE-Project in Judiciary, 81 members of the communities have already been employed, 24 of whom at the Ministry of Justice, 42 at the courts, 10 at the Public Prosecutor's Office, and 5 at the penal institutions. This process was intensified in the course of 2005 with funds from the Budget of the Republic of Macedonia. Moreover, translators and typists-members of the minority communities are to be employed. This necessity is part of Amendment 5 that regulates the right to use the languages of the communities in court procedures and the adopted amendments to the Law on Legal Procedure, Law on Criminal Procedure, Law on Executive Procedure and Law on Administrative Disputes.

**Annex 5 provides data on the ethnic structure of budget beneficiaries, civil servants and judiciary.**

### **Article 16**

According to the obligations from the Framework Agreement, the Assembly of the Republic of Macedonia adopted **all aforementioned laws** that strengthened the competencies of the units of local self-government, providing their appropriate financing:

1. Law on Local Self-Government (Official Gazette of the Republic of Macedonia, No. 5/02)
2. Law on Territorial Organisation of Local Self-Government in the Republic of Macedonia (Official Gazette of the Republic of Macedonia, No. 55/04)
3. Law on the City of Skopje (Official Gazette of the Republic of Macedonia, No. 55/04)
4. Law on Financing the Units of Local Self-Government (Official Gazette of the Republic of Macedonia, No. 61/04 and 96/04)
5. Law on Communal Taxes (Official Gazette of the Republic of Macedonia, No. 61/04)
6. Law on Amendments to the Law on Administrative Taxes (Official Gazette of the Republic of Macedonia, No. 61/04)
7. Law on Property Taxes (Official Gazette of the Republic of Macedonia, No. 61/04)
8. Law Amending the Law on Internal Affairs (Official Gazette of the Republic of Macedonia, No. 38/02).

Laws 1-3 define the strengthened competencies of local self-government units, in compliance with the above-cited provisions of the Framework Agreement, as well as the new territorial organisation of the Republic of Macedonia, and the appropriate solution for the city of Skopje. The Law on Territorial Organisation of Local Self-Government in the Republic of Macedonia and the Law on the City of Skopje were disputed by the initiative for a referendum, which asked for return of the old territorial organisation from 1996. At the referendum held on November 8, 2004, the initiative did not get the required support, thus enabling the continuation of the decentralisation process in compliance with the Framework Agreement and the adopted legislation.

According to the new laws, the number of municipalities has been decreased from 123 to 84 municipalities, with an average of 25,000 inhabitants, while the prior area of Skopje has been enlarged from 7 to 10 municipalities, along with additional arrangements between the city and the municipalities within its structure.

Laws 4-7 define the revenues of local self-government units, in compliance with the conditions of the Framework Agreement, i.e. local authorities have been enabled to have sufficient resources to carry out their tasks according to the new Law on Local Self-Government. At the same time, laws have enabled appropriate budget autonomy and responsibility of local self-government units.

Law 8 fully implements the Framework Agreement provision regarding the election of a local police chief and the obligation for his communication and reporting to the municipal Council, as well as the possibility that the Council adopts a report regarding public security, which will be submitted to the Minister of Interior and the Ombudsman.

### **Article 18**

Representing a direct implementation of Article 10, Paragraph 3 of the European Charter on Local Self-Government, the Law on Local Self-

Government envisages free cooperation of municipalities with local self-government units of other countries, as well as with international organisations of local communities, along with membership in international organisations of local authorities. The competent ministry for conducting the activities related to local self-government is authorised to register the realised international cooperation of municipalities in compliance with the law.

There is ongoing preparation of a law that regulates this matter in detail. Moreover, authorities are also reviewing the possibility for the Republic of Macedonia to sign the European Framework Convention on Cross-Border Cooperation between the territorial communities or the authorities of the Council of Europe, thus enabling full application of international standards regarding cooperation among local authorities from the border areas of the Republic of Macedonia with its neighbours and beyond.

On 6 July 2004, the Republic of Macedonia and Serbia-Montenegro signed an inter-state Agreement on Protection of the Macedonian National Minority in Serbia and Montenegro, and vice versa. In the meantime, the parliaments of both states ratified the Agreement: the Assembly of the Republic of Macedonia ratified it on 18 November 2004 (Official Gazette of the Republic of Macedonia, No. 83/04), while the Parliament of Serbia and Montenegro on 29 June 2005, and the agreement went into effect on 19 July 2005.

## **THIRD PART**

### **Answers to individual questions by the Advisory Committee submitted to the Republic of Macedonia on 15 January 2003**

1. Dialogue and consultations with the Association of Egyptians in the Republic of Macedonia were initiated at the meeting with the Association's president Rubin Zemon in December 2005. This association encompasses the largest number of members of this community in the Republic of Macedonia. It was initially agreed that the dialogue continues upon the delivery of concrete requests by the association regarding the inclusion of this group in the protection envisaged with the Framework Convention on National Minorities, in the personal sense.

2. Within the second part of the Report, taking into account the "article by article" approach, the rounding up of the legal framework was elaborated in detail, as part of the implementation of the Ohrid Agreement.

3. A detailed answer to this question was presented in the elaboration of the implementation of Articles 12 and 13 of this Report.

4. The adoption of the Law on the State University in Tetovo (Official Gazette of the Republic of Macedonia, No. 8/2004) resulted in the University's establishment, which began to operate according to the Law on Higher Education on 1 October 2004. It is composed of 5 faculties: Faculty of Science

and Mathematics, Faculty of Humanities and Arts, Faculty of Economy, Law Faculty and Centre for Polytechnic Studies-college. The instruction for members of the Albanian community, which represent more than 90% of enrolled students at the university, is conducted in Albanian language. Following the Government's Decision for additional quotas for enrolment of students-members of the communities in 2004/2005 academic year, it was envisaged that at the faculties at the state universities which also exist at the Tetovo State University, members of the Albanian community can enrol only in the regular quotas.

5. Globalisation, among other things, intensifies the processes of construction and political articulation of ethnic identities. This trend of internationalisation of minority (ethnic) rights is especially of current interest in the transitional countries with an EU candidate status or those which aspire to get a similar status. Naturally these efforts shape the agenda of standards and criteria that these countries have to implement within their legislation for the purpose of their affirmation and protection of human rights. Experience shows that the traditional approach in the resolution of minority issues, when referring to Roma, does not give the expected results.

Namely, the situation with the Roma in relation to other ethnic communities is entirely different, so in that sense, this approach does not resolve this problem in an efficient way. Therefore, these countries have been imposed with the necessity to prepare special National Strategies for the Roma population, which need to meet the specific needs and problems that this ethnic community is faced with. Namely, the conceptual motive for such a document dedicated to Roma is determined by the necessity to perceive a comprehensive and consistent policy, which will identify the crucial topics and problems that refer to certain particularities within this group, but within the globally defined crucial developing trend. Although the Republic of Macedonia, compared to other countries, has made significant positive steps in regard to the Roma as an ethnic community, still it is not an exception regarding the abovementioned context. A consistent and coordinated policy is missing so far, in order to meet the specific needs, which consequences are manifested in the reality. Therefore, the preparation of a Strategy for the Roma in the Republic of Macedonia comes from its aspiration for EU membership. It implies structuring of a comprehensive policy for Roma development, harmonised with the Copenhagen criteria for EU accession, as well as a number of other EU documents that directly refer to Roma.

Furthermore, this obligation is determined by the draft-recommendations of the Council of Ministers of the Council of Europe, which determines the measures that need to be implemented by states regarding this community. In that sense, each government has the task to prepare a national, long-term, comprehensive and coherent strategy for Roma integration in society. As implied in Agenda 2000, there is a necessity for achieving lasting development in the social, economic and political sphere, and especially providing protection from discrimination and racism, including decent housing, appropriate education and health services.

At the same time, by resolving the problems in these sectors, the strategy overlaps with the Government's efforts for reduction of poverty in general, because Roma are considered the most vulnerable ethnic community

in the Republic. Facts say that poverty of Roma is much higher than of any other group, and it is based on a number of accumulated factors that refer to history, tradition and their permanent social exclusion. The repercussions of this situation are negatively manifested on the level of education, access to public services, employment, housing, health etc. Therefore, there is a necessity for promotion of *an inclusive policy*, which will enable a way out from the existing circle of dependency and discrimination that determine the long-term perpetuation of poverty.

Although Macedonia has tried to build standards for protection of ethnic communities that live in it, there is an evident absence of a consistent state policy, as well as coordination of efforts and resources. Still, the past period has witnessed the existence and realisation of certain projects that refer to this population, but those efforts were partial and not able to resolve the problems at a wider level. At a moment when the Republic of Macedonia promotes quality of multicultural society and moves towards Euro-integration, it is very important to show will and engagement in the defining and application of strategic priorities that refer to Roma needs. Special importance in this process is given to the improvement of the capacity of Roma community representatives, which provides quality feedback and suggestions regarding the policies in the strategy's implementation.

The main objective of the Strategy, representing an affirmative action that is applied regardless of the existing regulative and rights that refer to the protection of minority rights, is to promote the strengthening and integration of Roma in the main social and economic trends of the Republic of Macedonia through definition of the basic directions for realisation of a well-thought multidimensional state policy, which will serve as a priority base with concrete projects that treat certain segments.

At the same time, the Strategy should respond to the real needs, problems and priorities of Roma, introducing a balanced and sustainable approach when combining the prescribed goals, in compliance with legally guaranteed human rights and state policy. Peaceful coexistence, but also integration with the majority will be secured through improvement of the social position of the Roma community, enabling equal access to existing possibilities, affirming the principle of positive discrimination, as well as development of the identity and culture of Roma. Only multidimensionality in the approach when creating and realising the Strategy can guaranty its successful implementation.

The Republic of Macedonia is the only country in the neighbourhood that did not adopt a National Strategy on Roma until 2005. The possession of such document is not of interest only for the Roma community in the Republic of Macedonia, but at the same time is part of the criteria for its inclusion in EU integration processes. Therefore, the first activities for preparation of a National Strategy on Roma were launched at the beginning of last year. The Ministry of Labour and Social Policy is the carrier of activities, but at the same time it coordinates the preparation of National Action Plans on international initiative Decade of Roma 2005-2015.

Because the preparation of the text of the National Strategy requires expert knowledge, the Ministry of Labour and Social Policy engaged an independent expert at the beginning of last year, who prepared the text of the Draft-Strategy for the Roma Population in the Republic of Macedonia. Four

roundtables were held during its preparation, including representatives from the competent ministries and relevant Roma representatives (political parties and NGOs), who jointly debated the text, its implementation, monitoring, evaluation and financing of activities envisaged in the Strategy.

Since the Strategy is a complex document that cannot include only one ministry or the Government, the imperative in its creation (determination of strategic priorities), as well as its realisation is the inclusion of representatives from the Roma community, with the objective of providing a consensus, wide support and success in its implementation. Therefore, there is a necessity for establishing permanent communication between the Government and the bearers of the articulation of the existing interests, as well as their successful incorporation in the implementation of the envisaged policy of the state. This will result in the intensifying the democratic processes in the Republic, making the process of decision adoption transparent, eventually enabling Roma to experience this document as their own. Through all these elements, the Strategy acquires an additional value, legitimacy and weight, and thus chances for more successful implementation. Thus, it is expected that all involved parties would share the responsibility for its realisation.

The Strategy on Roma was adopted at the Government session on January 31, 2005. With its adoption the Government of the Republic of Macedonia is obligated to implement it. Since the Republic of Macedonia is one of the nine member-states of the initiative "Decade of Roma Inclusion", the Government established a National Working Group comprised of representatives from the competent ministries and Roma representatives (NGO and political officials), which prepared the National Action Plans on the four priority areas of the Decade (education, employment, health and housing), which at the same time are plans in the Strategy on the Roma population, followed by their adoption at the beginning of 2005.

For the purpose of faster and more efficient implementation of these National Action Plans, the National Working Group prepared Operational Plans for implementation of the National Action Plans with a concrete budget, which the Government of the Republic of Macedonia adopted at a session held on 8 November 2005. At that session, the Government tasked the Ministry of Labour and Social Policy to prepare financial contributions to the programmes of ministries aimed at improving situation of the Roma in the Republic of Macedonia, and to follow the realisation of means intended for implementation of National Action Plans.

6. Detailed elaboration of the principle of non-discrimination in the legislation of the Republic of Macedonia is encompassed in the detailed presentation of the implementation of Article 4.

7. All latest data are contained in Annex 5 of this Report.

8. According to Article 21 of the Law on Asylum and Temporary Protection of the Republic of Macedonia (Official Gazette of the Republic of Macedonia, No. 49/03), when the applicant for an asylum does not understand the language in the procedure, the Asylum Department will provide an interpreter to that person, in the language of the country of origin or a language he/she understands. The Ministry of Interior covers the costs for the interpreter. The

interpreter is obligated to keep as confidential the information that he/she acquired during the procedure. The seekers of asylum have the right to an interpreter of the same gender if possible.

The text of this Article should also include several provisions from the Law on Asylum and Temporary Protection of the Republic of Macedonia, namely:

Article 57 of the Law reads, "In compliance with the legal regulations in the Republic of Macedonia, the recognised refugee has the right to transfer of property that has been brought into the territory of the Republic of Macedonia and free transfer of invested capital and gain in another country where s/he has been accepted for the purpose of residence".

Article 45 of the Law reads, "An asylum seeker or a person under humanitarian protection can be issued a travelling document for a foreigner, in compliance with the Law on Movement and Residence of Foreigners".

Article 43 reads, "At the request of a recognised refugee at the age of 18 or more, a travelling document is issued with a 2-year validity period. The validity of the travelling document can be extended. Regarding persons below the age of 18, the request for issuing a travelling document is submitted by his/her legal guardian. This travelling document does not mean that the person has the right to seek protection in diplomatic-consular offices of the Republic of Macedonia abroad.

9. The 1992 Law on Citizenship of the Republic of Macedonia was passed in a situation when the Republic of Macedonia was constituted as an independent and sovereign state based on the 1991 Constitution of the Republic of Macedonia and the establishment of the legal system as the basis for functioning of the new state. This law represented a solid foundation for resolution of citizenship issues both in the context of the succession of the former Socialist Federal Republic of Yugoslavia (SFRY), and in the creation of a number of individual cases in the sector of citizenship. The principle of legal continuity contained in the provisions of this law, the interim provision that regulated the acquiring of citizenship for persons from the former SFRY, as well as the other provisions of the Law have enabled the establishment of an initial body of Macedonian citizens in the first years of the country's independence, but at the same time enabled most of the citizens to regulate their citizenship status.

After the accession to the Council of Europe, the Republic of Macedonia accepted to follow the development of the legislation of this organisation and to implement it in its internal legislation. In this regard, and based on the Government's conclusions, the Republic of Macedonia signed the European Convention on Citizenship on 6 November 1997, representing an important document that brings together all prior experiences in this sector, determining principles and guidelines for internal legislations of member-states.

The Assembly of the Republic of Macedonia ratified the European Convention on Citizenship on 18 February 2002.

In order to harmonise the existing law with the European Convention on Citizenship and the international legal standards in this field, as well as to create a legal basis for overcoming of registered deficiencies and difficulties in



practice, an expert group was established, which worked on the preparation of amendments to the law.

The Assembly of the Republic of Macedonia adopted the Amendments to the Law on Citizenship of the Republic of Macedonia on 22 January 2004 (Official Gazette of the Republic of Macedonia, No. 08/2004). The law came into force on 2 March 2004.

For the purpose of harmonisation of the Law on Citizenship of the Republic of Macedonia with Chapter 6 “State Succession and Citizenship” of the European Convention on Citizenship and creation of permanent solutions to the problems of *de jure* and *de facto* no-citizenship following the dissolution of former SFRY, the amendments to the law add an interim provision, as in the previous law (Article 26, Paragraph 3), according to which citizens of other republics of former SFRY and citizens of former SFRY that had a registered residence on 8 September 1991, who lived on the territory of the Republic of Macedonia until the submission of the request, and have a real and effective relation with the Republic of Macedonia, can acquire Macedonian citizenship, if they submit a request within 2 years after the law goes into force, if they are not under criminal investigation in the Republic of Macedonia for crimes that endanger the security and defence of the Republic of Macedonia, as well as meet the conditions of Article 7, Paragraph 1, Items 1 (to be 18 years of age) and 6 (to be fluent in the Macedonian language) of the law. Therefore, no additional evidence on secured permanent source of means, evidence for having an apartment etc. are required for this category of citizens.

Thus, individuals of the former SFRY, who lived for a long time, and continued to live in the Republic of Macedonia during and after the succession, but did not regulate their status in the state from objective or subjective reasons, were given an opportunity to realise the right to citizenship under special mitigating circumstances.

We should mention that the amendments to the Law on Citizenship of the Republic of Macedonia were positively assessed by the UN High Commissioner for Refugees and the Council of Europe, which assisted in the preparation of the text of amendments, and in organising several workshops focused on the amendments to the Law on Citizenship, including experts from these organisations, experts from the Republic of Macedonia, as well as other participants.

In practice, the Amendments to the Law on Citizenship came into force on 2 March 2004. Working conferences have been held for all Ministry of Interior employees who work on tasks related to the reception of applications and the procedure for acquiring and cancelling citizenship of the Republic of Macedonia, while all diplomatic-consular offices of the Republic of Macedonia were timely notified about the amendments to the law. In cooperation with the Office of the High Commissioner for Refugees in Skopje, the brochures (published in Macedonian, English, Albanian and Roma languages, with an ongoing preparation of a Turkish version) have been amended, containing the procedure and the manner of acquiring citizenship of the Republic of Macedonia, aimed at full and correct informing of applicants. Furthermore, the High Commissioner for Refugees provided support by organising a seminar titled “Amendments to the Law on Citizenship of the Republic of Macedonia” in October 2004, including the participation of experts from the Council of

Europe, High Commissioner for Refugees, domestic experts, ministry employees, NGOs and other entities.

The Amendments to the Law on Citizenship of the Republic of Macedonia "Official Gazette of Republic of Macedonia, No. 08/2004) came into force on 2 March 2004 and has been successfully implemented in the past 20 months. The Ministry of Interior expects that the consistent implementation of this law will enable all citizens from the other republics of former SFRY and citizens of former SFRY, regardless of the ethnic group they belong to, who continued to live in the Republic of Macedonia after the succession, to regulate their citizenship status in the Republic of Macedonia, i.e. to acquire Macedonian citizenship.

During the application of Article 14, the Ministry of Interior has consistently and widely applied the provisions of the same article and is engaged in urging of citizens, in order to bring closer the opportunities for acquiring of citizenship. When the Amendments to the Law on Citizenship of the Republic of Macedonia went into effect, in compliance with the provisions of this law, all the procedures undertaken before the adoption of the amendments were primarily redirected and resumed to be conducted according to Article 14. In the course of the past period of application of the Amendments to the Law on Citizenship of the Republic of Macedonia, the American Bar Association organised four regional meetings with representatives of the employees from the Ministry of Interior, who work on the collection of applications for Macedonian citizenship, representatives of the Ministry's local offices who work on this issue, as well as NGOs that offer legal and financial assistance in the area of citizenship, which provided huge results regarding the overcoming of certain issues that appeared at the beginning of the application of the law amendments.

The Ministry of Interior, in cooperation with the High Commissioner for Refugees, Council of Europe, OSCE and NGOs that cover issues related to the civil and citizenship status will continue to inform the public on the amendments to the Law on Citizenship, so that the interim provision is brought closer to the people for whom it is intended. Furthermore, the amendments could be found in the brochures and the website of the Ministry, there are also video clips on citizenship which are publicly broadcasted, the press release of the Interior Ministry published by all the media. The Ministry is also prepared to take part at meetings and debates organised by the NGO sector, political parties, media etc.

Taking into account the fact that the interim provision entered into force on 2 March 2006, the Ministry of Interior will re-activate and enhance the campaign for informing the public in the upcoming period, both independently and with the assistance provided by the NGO sector, the High Commissioner for Refugees, OSCE, USAID, American Bar Association, so that information would reach the intended individuals in a regular and timely manner. The video clips and the announcements will again be broadcasted, the final working meeting for Ministry and employees and the NGO sector will be held at the beginning of December this year, summarising the prior results and defining future activities.

According to the prior practical application of the Amendments to the Law on Citizenship of the Republic of Macedonia, the Ministry of Interior is on the opinion that there are no specific difficulties in its implementation, which is

indicated by the analysis of adopted decisions on all legal bases, where the percentage of positive decisions is about 95%, while individual dilemmas and issues have been overcome in cooperation with other competent entities in the country. Thus, in the course of this period of application of the interim provision, over 2,600 persons acquired Macedonian citizenship on this basis, while about 1,400 cases are currently processed.

We again believe it is important to point out that one of the basic principles of the Law on Citizenship of the Republic of Macedonia is the principle of equality and non-discrimination on either account, so it is unnecessary to review or envisage special mitigating conditions for any ethnic group in the Republic of Macedonia. This approach would suspend the above mentioned principles of the European Convention on Citizenship. On this occasion, we once again stress that the Law on Citizenship of the Republic of Macedonia or its amendments do not hold any discriminatory effects on any account, not only regarding Albanians and Roma, but any community whatsoever. A good analysis of the Law and its long-standing application show that the principle of non-discrimination is present both in regard to the envisaged conditions and in the attitude to the applicants for acquiring Macedonian citizenship.

## Annex 1

### MUNICIPALITIES

In which certain communities can place their flags as an expression of their identity and characteristics

No.	Municipality	Macedonians		Albanians		Turks		Roma	
		No.	%	No.	%	No.	%	No.	%
1.	ARACINOVO	596	5.14	10879	<b>93.81</b>	0	0.00	0	0.00
2.	BRVENICA	5949	37.52	9770	<b>61.62</b>	2	0.01	0	0.00
3.	VRAPCISTE	1041	4.10	21101	<b>83.08</b>	3134	12.34	0	0.00
4.	GOSTIVAR	15877	19.59	54038	<b>66.68</b>	7991	9.86	2237	2.76
5.	DEBAR	3911	20.01	11348	<b>58.07</b>	2684	13.73	1080	5.53
6.	BOGOVINJE	37	0.13	27614	<b>95.23</b>	1183	4.08	5	0.02
7.	LIPKOVO	169	0.62	26360	<b>97.42</b>	0	0.00	0	0.00
8.	PLASNICA	34	0.75	20	0.44	4446	<b>97.82</b>	0	0.00
9.	STRUGA	20336	32.09	36029	<b>56.85</b>	3628	5.72	116	0.18
10.	STUDENICANI	309	1.79	11793	<b>68.38</b>	3285	19.05	73	0.42
11.	TEARCE	2739	12.20	18950	<b>84.39</b>	516	2.30	67	0.30
12.	TETOVO	20053	23.16	60886	<b>70.32</b>	1882	2.17	2357	2.72
13.	CENTAR ZUPA	814	12.49	454	6.96	5226	<b>80.17</b>	0	0.00
14.	SARAJ	1377	3.89	32408	<b>91.53</b>	45	0.13	273	0.77
15.	CAIR	15628	24.11	36971	<b>57.03</b>	4500	6.94	3083	4.76
16.	SUTO ORIZARI	1391	6.69	5516	26.52	56	0.27	13342	<b>64.14</b>

## Annex 2

### MUNICIPALITIES In which Committees for inter-community relations are established

No.	Municipality	Total	Macedonians		Albanians		Turks		Roma		Vlachs		Serbs		Bosniaks	
			No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1.	BRVENICA	15,855	5,949	37.52	9,770	61.62	2	0.01					78	0.49	1	0.01
2.	VRANESTICA	1,322	1,033	78.14	10	0.76	276	20.88					2	0.15		
3.	GOSTIVAR	81,042	15,877	19.59	54,038	66.68	7,991	9.86	2,237	2.76	15	0.02	160	0.20	39	0.05
4.	DEBAR	19,542	3,911	20.01	11,348	58.07	2,684	13.73	1,080	5.53	2	0.01	22	0.11	3	0.02
5.	DOLNENI	13,568	4,871	35.90	3,616	26.65	2,597	19.14	13	0.10			16	0.12	2,380	17.54
6.	ZELENIKOVO	4,077	2,522	61.86	1,206	29.58	1	0.02	92	2.26	1	0.02	45	1.10	191	4.68
7.	JEGUNOVCE	10,790	5,963	55.26	4,642	43.02	4	0.04	41	0.38			109	1.01	1	0.01
8.	KICEVO	30,138	16,140	53.55	9,202	30.53	2,430	8.06	1,630	5.41	76	0.25	86	0.29	7	0.02
9.	KRUSEVO	9,684	6,081	62.79	2,064	21.31	315	3.25			1,020	10.53	38	0.39	137	1.41
10.	KUMANOVO	105,484	63,746	60.43	27,290	25.87	292	0.28	4,256	4.03	147	0.14	9,062	8.59	20	0.02
11.	MAVROVO I ROSTUSA	8,618	4,349	50.46	1,483	17.21	2,680	31.10	10	0.12			6	0.07	31	0.36
12.	PETROVEC	8,255	4,246	51.44	1,887	22.86	75	0.91	134	1.62			415	5.03	1,442	17.47
13.	SOPISTE	5,656	3,404	60.18	1,942	34.34	243	4.30			4	0.07	32	0.57		
14.	STRUGA	63,376	20,336	32.09	36,029	56.85	3,628	5.72	116	0.18	656	1.04	106	0.17	103	0.16
15.	TETOVO	86,580	20,053	23.16	60,886	70.32	1,882	2.17	2,357	2.72	15	0.02	604	0.70	156	0.18
16.	CASKA	7,673	4,395	57.28	2,703	35.23	391	5.10			1	0.01	55	0.72	67	0.87
17.	CUCER- SANDEVO	8,493	4,019	47.32	1,943	22.88			23	0.27	16	0.19	2,426	28.56	1	0.01
18.	BUTEL	37,371	22,553	60.35	10,266	27.47	1,304	3.49	561	1.50	120	0.32	1,041	2.79	970	2.60
19.	CAIR	64,823	15,628	24.11	36,971	57.03	4,500	6.94	3,083	4.76	78	0.12	621	0.96	2,950	4.55
20.	SUTO ORIZARI	20,800	1,391	6.69	5,516	26.52	56	0.27	13,342	64.14			59	0.28	177	0.85
21.	CITY OF SKOPJE	506,926	338,358	66.85	103,891	20.49	8,595	0.01	23,475	0.05	2,557	0.005	14,298	0.028	7,585	0.014

### Annex 3

#### MUNICIPALITIES

In which apart from the Macedonian language and Cyrillic alphabet also the language and the alphabet of a population that constitutes at least 20% of the total population of the municipality has a status of an official language

	Name of the Municipality	Name of the location of the Municipality	Population	Number of settlements	Mac	Al	Tur	Ro	Vla	Ser	Bos	Others
					%	%	%	%	%	%	%	
1.	ARACINOVO	ARACINOVO	11,597	4	5	94	0	0	0	0	1	0
2	BRVENICA	BRVENICA	15,855	10	38	62	0	0	0	0	0	0
3	VRANESTICA	VRANESTICA	1,322	15	78	1	21	0	0	0	0	0
4	VRAPCISTE	VRAPCISTE	25,399	15	4	83	12	0	0	0	0	0
5	GOSTIVAR	GOSTIVAR	81,042	35	20	67	10	3	0	0	0	1
6	DEBAR	DEBAR	19,542	18	20	58	14	6	0	0	0	3
7	DOLNENI	DOLNENI	13,568	37	36	27	19	0	0	0	18	1
8	ZELINO	ZELINO	24,390	18	0	99	0	0	0	0	0	0
9	ZAJAS	ZAJAS	11,605	13	2	97	0	0	0	0	0	1
10	ZELENIKOVO	ZELENIKOVO	4,077	14	62	30	0	2	0	1	5	0
11	JEGUNOVCE	JEGUNOVCE	10,790	17	55	43	0	0	0	1	0	0
12	BOGOVINJE	BOGOVINJE	28,997	14	0	95	4	0	0	0	0	1
13	KICEVO	KICEVO	30,138	7	54	31	8	5	0	0	0	2
14	KRUSEVO	KRUSEVO	9,684	19	63	21	3	0	11	0	1	0
15	KUMANOVO	KUMANOVO	105,484	48	60	26	0	4	0	9	0	1
16	LIPKOVO	LIPKOVO	27,058	22	1	97	0	0	0	1	0	1
17	MAVROVO AND ROSTUSA	ROSTUSA	8,618	42	50	17	31	0	0	0	0	1
18	OSLOMEJ	OSLOMEJ	10,420	16	1	98	0	0	0	0	0	1
19	PETROVEC	PETROVEC	8,255	16	51	23	1	2	0	5	17	1
20	PLASNICA	PLASNICA	4,545	4	1	0	98	0	0	0	0	1
21	SOPISTE	SOPISTE	5,656	13	60	34	4	0	0	1	0	1

22	STRUGA	STRUGA	63,376	51	32	57	6	0	1	0	0	4
23	STDENICANI	STDENICANI	17,246	19	2	68	19	0	0	0	10	1
24	TEARCE	TEARCE	22,454	13	12	84	2	0	0	0	0	1
25	TETOVO	TETOVO	86,580	20	23	70	2	3	0	1	0	1
26	CENTAR ZUPA	CENTAR ZUPA	6,519	23	12	7	80	0	0	0	0	0
27	CASKA	CASKA	7,673	42	57	35	5	0	0	1	1	1
28	CUCER - SANDEVO	CUCER - SANDEVO	8,493	12	47	23	0	0	0	29	0	1
29	BUTEL	SKOPJE	37,371	4	60	27	3	2	0	3	3	1
30	SARAJ	SKOPJE	35,408	22	4	92	0	1	0	0	3	0
31	CAIR	SKOPJE	64,823		24	57	7	5	0	1	5	2
32	SUTO ORIZARI	SKOPJE	20,800	1	7	27	0	64	0	0	1	1
33	AERODROM	SKOPJE	72,009	1	89	1	1	1	1	4	1	2
34	GAZI BABA	SKOPJE	72,617	13	74	17	1	3	0	3	1	1
35	GORCE PETROV	SKOPJE	41,634	6	85	4	1	3	0	4	1	2
36	KARPOS	SKOPJE	59,666	2	89	3	1	1	1	4	0	2
37	KISELA VODA	SKOPJE	57,236	2	92	0	1	1	1	2	1	1
38	CENTAR	SKOPJE	45,362	1	85	3	1	2	1	4	0	2
TOTAL NO. OF INHABITANTS OF THE CITY OF SKOPJE			<b>506,926</b>									
TOTAL NO. OF INHABITANTS			<b>1,177,309</b>									

## Annex 4

Year	Total	Macedonians		Albanians		Turks		Roma		Vlachs		Serbs		Others	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1992/93*	26,299	23,770	90.4	586	2.23	172	0.65	13	0.05	76	0.29	840	3.19	842	3.20
1993/94*	26,834	24,998	93.1	764	2.85	167	0.62	9	0.03	97	0.36	453	1.69	346	1.29
1994/95*	28,569	26,183	91.6	974	3.41	175	0.61	17	0.06	159	0.56	521	1.82	540	1.89
1995/96*	29,153	26,481	90.8	1202	4.12	219	0.75	18	0.06	212	0.73	528	1.81	493	1.69
1996/97*	30,441	27,302	89.7	1408	4.62	277	0.91	23	0.07	234	0.77	574	1.88	623	2.05
1997/98*	31,768	28,986	91.2	1308	4.12	245	0.77	35	0.11	287	0.90	518	1.63	389	1.22
1998/99*	34,850	31,095	89.2	1916	5.50	371	1.06	48	0.14	329	0.94	666	1.91	425	1.22
1999/00*	36,679	32,629	88.9	2028	5.53	409	1.11	71	0.19	374	1.02	717	1.95	451	1.23
2000/01*	40,075	35,396	88.3	2285	5.70	444	1.1	108	0.26	408	1.01	746	1.86	709	1.56
2001/02**	45,493	39,777	87.44	3040	6.68	601	1.32	127	0.28	417	0.92	822	1.81	709	1.58
2002/03**	47,798	40,778	85.31	4292	8.98	683	1.43	140	0.29	440	0.92	807	1.69	658	1.38
2003/04***	51,311	43,645	85.06	5335	10.4	608	1.18	100	0.19	359	0.70	701	1.37	563	1.1
2004/05****	61,556	48,900	79.44	9540	15.50	825	1.34	188	0.31	478	0.78	936	1.52	689	1.12
Source: Ministry of Education and Science															

\* \* The data for the period 1992/3 - 2001/2 refer only to the two state universities at the time "St. Cyril and Methodius" - Skopje and "St. Kliment Ohridski" - Bitola

\*\* The data for the period 2001/2 - 2003/4 refer to "St. Cyril and Methodius" - Skopje, "St. Kliment Ohridski" – Bitola, as well as the SEE University in Tetovo (founded in 2001)

\*\*\* The data for 2003/4 refer to the three universities that existed at the time "St. Cyril and Methodius" - Skopje, "St. Kliment Ohridski" – Bitola and the SEE University in Tetovo, together with the Social Studies Faculty in Skopje

\*\*\*\* The data for 2004/5 refer to the universities "St. Cyril and Methodius" - Skopje, "St. Kliment Ohridski" – Bitola, as well as the SEE University in Tetovo, Social Studies Faculty in Skopje together with the newly founded State University in Tetovo (operational since 1 January 2004)



## Annex 5

The following charts show the representation of the communities' representatives in judiciary (by 1 May 2005):

### OVERVIEW OF JUDGES AND EMPLOYEES AT THE SUPREME COURT OF THE REPUBLIC OF MACEDONIA

Judges		Employees	
Macedonians	17	Macedonians	45
Albanians	5	Albanians	0
Serbs	0	Serbs	3
Turks	1	Turks	1
Vlachs	0	Croatian	1
Roma	0	<b>Total</b>	<b>50</b>
Others	0		
Bosniaks	1		
<b>Total</b>	<b>24</b>		

### OVERVIEW OF JUDGES AND EMPLOYEES AT THE APPELLATE COURTS IN SKOPJE, BITOLA AND STIP

Judges		Employees	
Macedonians	67	Macedonians	154
Albanians	9	Albanians	7
Serbs	1	Serbs	1
Turks	6	Turks	2
Vlachs	0	Vlachs	3
Roma	0	Roma	1
Montenegrins	1	Others	0
Others	0	<b>Total</b>	<b>168</b>
<b>Total</b>	<b>84</b>		

**FIRST INSTANCE COURTS – OVERVIEW OF JUDGES AND EMPLOYEES  
AT THE FIRST INSTANCE COURTS IN THE REPUBLIC OF MACEDONIA**

Judges		Employees	
Macedonians	469	Macedonians	1478
Albanians	36	Albanians	95
Serbs	9	Serbs	12
Turks	1	Turks	22
Vlachs	13	Vlachs	25
Roma	0	Roma	27
Montenegrins	0	Montenegrins	0
Others	6	Others	13
		<b>Total</b>	<b>1672</b>
<b>Total</b>	<b>534</b>		

**Public prosecutor's office of the Republic of Macedonia**

Public Prosecutor		Deputy Public Prosecutors		Other employees	
Macedonians	1	Macedonians	7	Macedonians	12
Albanians	/	Albanians	3	Albanians	1
Serbs	/	Serbs		Serbs	
Turks	/	Turks		Turks	
Vlachs	/	Vlachs		Vlachs	
Roma	/	Roma		Roma	
Others	/	Others		Others	
<b>Total</b>	<b>1</b>	<b>Total</b>	<b>10</b>	<b>Total</b>	<b>13</b>

**Higher public prosecutors offices**

Public Prosecutors		Deputy Public Prosecutors		Other employees	
Macedonians	2	Macedonians	19	Macedonians	25
Albanians	1	Albanians		Albanians	2
Serbs		Serbs	2	Serbs	
Turks		Turks		Turks	
Vlachs		Vlachs		Vlachs	
Roma		Roma		Roma	
Others		Others		Others	
<b>Total</b>	<b>3</b>	<b>Total</b>	<b>21</b>	<b>Total</b>	<b>27</b>

**Public prosecutors offices**

Public Prosecutors		Deputy Public Prosecutors		Other employees	
Macedonians	16	Macedonians	121	Macedonians	123
Albanians	3	Albanians	6	Albanians	13
Serbs		Serbs		Serbs	
Turks	1	Turks	1	Turks	1
Vlachs	1	Vlachs		Vlachs	1
Roma		Roma		Roma	
Others		Others		Others	
<b>Total</b>	<b>21</b>	<b>Total</b>	<b>128</b>	<b>Total</b>	<b>138</b>

Ethnic structure of the budget beneficiaries in the Republic of Macedonia

Ethnic origin	December 02		June 02		December 03		June 03		December 04		April 05		July 05	
	No. of employees	%	No. of employees	%	No. of employees	%	No. of employees	%	No. of employees	%	No. of employees	%	No. of employees	%
Macedonians	58,348	83.27	58,927	82.70	58,769	82.05	57,208	81.43	56,871	80.31	56,647	79.70	56,249	79.50
Albanians	8,164	11.65	8,644	12.13	9174	12.81	9,448	13.45	10,294	14.54	10,735	15.10	10,828	15.30
Turks	826	1.18	847	1.19	905	1.26	890	1.27	928	1.31	954	1.30	944	1.30
Roma	358	0.51	365	0.51	369	0.52	357	0.51	376	0.53	383	0.50	378	0.50
Vlachs	321	0.46	329	0.46	336	0.47	332	0.47	330	0.47	331	0.50	335	0.50
Serbs	1,215	1.73	1,22	1.71	1,204	1.68	1,172	1.67	1,172	1.66	1,180	1.70	1,200	1.70
Bosniaks	160	0.23	165	0.23	182	0.25	180	0.26	181	0.25	185	0.30	179	0.30
Others	682	0.97	753	1.06	685	0.96	667	0.95	660	0.93	659	0.90	656	0.90
<b>Total</b>	<b>70,074</b>	100	<b>71,25</b>	100	<b>71,624</b>	100	<b>70,254</b>	100	<b>70,812</b>	100	<b>71,074</b>	100	70,769	100.0

Source: Ministry of Finance

The ethnic structure of the budget beneficiaries by 31 December 2005 was as follows: 55,070 (78.6%) Macedonians, 11,290 (16.1%) Albanians, 993 (1.4%) Turks, 326 (0.5%) Vlachs, 1,135 (1.6%) Serbs, 384 (0.5%) Roma, 192 (0.3%) Bosniaks and 0.9% others.

Ethnic structure of civil servants

Ethnic origin	January 2003		December 2003		December 2004		July 2005	
	No.	structure	No.	structure	No.	structure	No.	structure
Macedonians	9,567	90.55	9,719	90.27	9,283	89.67	9,190	85.31
Albanians	538	5.09	605	5.62	647	6.25	1,127	10.46
Turks	77	0.73	77	0.72	81	0.78	97	0.90
Vlachs	88	0.83	89	0.83	80	0.77	86	0.80
Serbs	183	1.73	174	1.62	161	1.56	165	1.53
Roma	26	0.25	19	0.18	26	0.25	33	0.31
Bosniaks	26	0.25	26	0.24	23	0.22	25	0.23
Rest	61	0.58	57	0.53	51	0.49	50	0.46
<b>Total</b>	<b>10,566</b>	<b>100</b>	<b>10,766</b>	<b>100</b>	<b>10,352</b>	<b>100</b>	<b>10773</b>	<b>100</b>

Source: Ministry of Finance

The structure of the civil servants according to the ethnic origin by 31 December 2005 was as follows: 84.88% Macedonians, 10.81% Albanians, 0.06% Turks, 0.32% Roma, 0.80% Vlachs, 1.53% Serbs, 0.26% Bosniaks and 0.44% others.

Ethnic structure of the employees at the municipal administration.

Ethnic origin	Municipal administration			
	With a status of civil servants	Without a status of civil servants	Total municipal administration	
			No,	%
Macedonians	329	788	1,117	79.79%
Albanians	78	134	212	15.14%
Turks	10	15	25	1.79%
Roma	1	10	11	0.79%
Vlachs	2	4	6	0.43%
Serbs	1	20	21	1.50%
Bosniaks	0	2	2	0.14%
Rest	5	1	6	0.43%
<b>TOTAL</b>	<b>426</b>	<b>974</b>	<b>1,400</b>	<b>100%</b>
Source: Civil Servants Agency Status: 31 December 2004				

Ethnic structure of the civil servants – Latest data

No.	Nationality	31 December 2005	
		No.	%
1	Macedonians	8778	84.88
2	Albanians	1118	10.81
3	Turks	99	0.96
4	Roma	33	0.32
5	Vlachs	83	0.80
6	Serbs	158	1.53
7	Bosniaks	27	0.26
8	Rest	46	0.44
	Unknown		
	<b>TOTAL</b>	<b>10,342</b>	<b>100.00</b>

Source: Civil Servants Agency  
The situation on 31 December 2005



## Annex 6

### **“PYKA”(“NAIL”) (newspaper, monthly, in Albanian language)**

Published by the enterprise “Ital Ice” Struga

Document No.02-537/2 from 10 July 2003

Editor-in-Chief: Liri Lena

Address: ul. “Sava Mihajlov” 2/21, Gazi Baba, Skopje

**Content: entertainment - humour and satire**

Address: ul “Karaorman” br.17 - Struga

### **“PRO - KULTURA” (magazine, monthly, in Albanian language)**

Published by the Agency for publishing, film production and multimedia Pro kultura - Tetovo

Document No.02- 538/2 from 11 July 2003

Editor-in-Chief: Neset Jakupi

Village of Slatino - Tetovo

**Content: culture** (topics from the field of art and culture)

Address: ul. “Marshal Tito” br.26 Tetovo

### **“ZIVOT I ZDRAVJE” (Life and Health) - (magazine, monthly, in Albanian)**

Published by the humanitarian organisation “Children of Peace” - Skopje

Document No. 02- 540/2 from 11 July 2003

Editor-in-Chief: Vebi Rustemi

Address: Village of Ljuben ul.1 br.30 a Skopje

**Content: informative, culture, entertainment**

(children’s topics that stimulate individual and collective initiative for improving the life of children in all spheres, topics about health of children and friendship in multicultural environments)

Address: village of Ljuben ul.1 br.30 a, Skopje

### **“VATRA”(magazine, bi-weekly, in Albanian language)**

Published by: DNID Vatra - Skopje

Document No. 02- 543/2 from 11 July 2003

Editor-in-Chief: Lindita Zendeli

Address: ul. “Ljuba Ivanovic” 42/1-9 - Skopje

**Content: political - informative, culture, entertainment.**

(Information about events from the country and abroad, comments, reports, interviews by renowned journalists, literary criticisms, cultural achievements, etc.)

Address: ul. “Ljuba Ivanovic” br 42/1 - Skopje

### **“ALTERNATIVA” (magazine, monthly, in Albanian language)**

Published by: Osman Ahmeti village of Lojane - Lipkovo

Document No.02- 551/2 from 24 July 2003

Editor-in-Chief: Osman Ahmetin

Village of Lojane - Lipkovo

**Content: cultural-informative and educational**

(Promotion of the culture in the period of transition, art promotion as well as of those who make art).

**“TETOVSKI VESNIK” (newspaper, weekly, in Macedonian and Albanian languages)**

Published by: Municipality of Tetovo - Tetovo

Document No. 02-544/2 from 11 July 2003

Editor-in-Chief: Shemsedin Ibrahimimi

Address: ul. “Prespanska” br.45 - Tetovo

**Content: informative**

(communal topics and other current events in Tetovo and its surrounding)

Address: ul. “Radovan Conic” br.103 Tetovo

**“TIME OUT” (magazine, monthly, in Macedonian and Albanian language)**

Published by: Citizens’ Association “Interethnic Project Kumanovo” - Kumanovo

Document No.02 - 773/2 from 12 November 2003

Editor-in-Chief: Marija Stojanovska

Address: ul. “Done Bozinov” br.22/32 - Kumanovo

**Content: entertaining-informative**

(topics about young people in the field of music, new technology, psychology, entertainment, sport, fashion, culture, tradition, film, etc.)

Address: ul. “Done Bo`inov” br.11/8 Kumanovo

**“EKO KULTURA” (magazine, quarterly, in Albanian language)**

Published by: Association “The Light of the Heart” - Tetovo.

Document No. 02-867/2 from 19 December 2003

Editor-in-Chief: Berzat Sadiki

Address: ul.”167” br.6 - Tetovo

**Content: ecology**

Address: ul. “167” br.6 - Tetovo

**“KLUBI FËMIJËVE” (“CHILDREN’S CLUB”) (magazine, monthly, in Albanian language)**

Published by: Association “The Light of the Heart” - Tetovo.

Document No. 02- 869/2 from 19 December 2003

Editor-in-Chief: Berzat Sadiki

Address: ul.”167” br.6 - Tetovo

**Content: topics for primary schools’ students**

Address: ul. “167” br.6 - Tetovo

**“JEHONA E RE” (“NEW ECHO”) (magazine, ten times a year, in Albanian language)**

Published by: DNID “Vatra” - Skopje

Document No. 02-26/2 from 20 January 2004

Editor-in-Chief Halil Zendeli

Address: ul. “Ljuba Ivanovic” br. 42/1-9 - Skopje

Content: informative

(topics in the field of culture, art, literature, education and science)

Address: ul. “Ljuba Ivanovic” br. 42/1-9 - Skopje

**“POINT” (newspaper, monthly, Macedonian and Albanian languages)**

Published by: the Centre for Public Participation - Tetovo

Document No. 02- 152/2 from 16 March 2004

Editor-in-Chief: Memet Selmani

Address: ul. “106” br.20 - Tetovo

**Content: cultural-educational and entertaining**

(topics for the young population in the field of education, entertainment, sport, cultural events, school violence, children’s abuse, AIDS and examples of ethnic division)

Address: “JNA” br.5 - Tetovo

**“NEWSPAPER ON INTER-RELIGION COOPERATION” (publication, quarterly, in Macedonian and Albanian languages)**

Published by: the Macedonian Centre for International Cooperation, the Macedonian Orthodox Church, the Islamic community, the Catholic Church, the Jewish Community in the Republic of Macedonia and the Evangelist-Methodist Church in the Republic of Macedonia with its headquarters in Skopje.

Document No.02-161/2 from 4 March 2004

Editor-in-Chief: Aleksandar Krzalovski

Address: Ul. “Ivo Lola Ribar” br.72/1-6 Skopje

**Content: informative**

(topics on improving the availability of information about the activities of the churches and the religious communities in Macedonia, especially the inter-religion cooperation).

Address: ul. “Nikola Parapunov” bb Skopje

**“AS” (magazine, weekly, in Albanian language)**

Published by the trade and services company “Erbera” Emin DOOEL - Skopje

Document No.02-202/2 from 30 March 2004

Editor-in-Chief: Emin Azemi

Address: Ul. "Tode Mendol" 94 Kumanovo

**Content: entertaining**

Address: TC "Mavrovka" lamela C, 9-ti kat Skopje

**"MEDIKUS" (magazine, twice a year, in Albanian language)**

Published by the Association of physicians, dentists and pharmacists – Albanians in Macedonia at the Headquarters in Tetovo

Document No. 02-196/2 from 24 March 2004

Editor-in-Chief: Remzi Izairi

Address: ul. PZO "Reuma", 1237 Cegrane Gostivar

**Content: professional - scientific**

Address: JZO Medicinski Centar, bb Tetovo

**"KOHA ditore" ("Daily") (newspaper, daily, in Albanian language)**

Published by Nebi Murseli

Document No.02-230/2 from 7 April 2004

Editor-in-Chief: Nebi Murseli

**Content: political, cultural, informative and sport**

(political, cultural, sport other events)

Address: DTC "Paloma Bjanka", kat 4, lok.1-2, Skopje

**"MONITOR" (newspaper, monthly, in Albanian and Macedonian languages)**

Published by the Publication and Printing Company "Tauer Medija" - Gostivar

Document No. 02- 365/2 from 1 June 2004

Editor-in-Chief: Arben Fetahi

Address: Ul. "Braka Miladinovci" br. 133 Tetovo

**Content: informative**

(topics from the every day life of the citizens from Gostivar and Tetovo)

Address: ul. "Goce Delcev" br.66 Gostivar

**"VIZIONE" ("VISION") (magazine, periodical, in Albanian language)**

Published by: Association of Intellectuals "Democratic club" - Skopje

Document No. 02-482/2 from 29 July 2004

Editor-in-Chief: Nazmi Maliqi, PhD

Address: ul. "Bajram Shabani" br. 30 Kumanovo

**Content: professional**

(publications, professional and scientific works, comments, analysis, reviews in the area of political sciences, sociology, law, economy, history, etc.)

Address: ul."Krste Misirkov" br.7, Mavrovka, lokal 71 Skopje

**"SPORTI" ("SPORT") (newspaper, weekly, in Albanian language)**

Published by NIP "Kultura" - Tetovo

Document No. 02-501/2 from 11 August 2004

Editor-in-Chief: Sadri Husmani

Address: ul. "A.J.Zurcin" bb Tetovo

**Content: sport**

(domestic and worldwide sport topics)

Address: NIP "Kultura S.H" ul."Borce Kocoski" br.115 Tetovo

**"BOTA E ARTIT" ("THE WORLD OF ART") (magazine, monthly, in Albanian language)**

Published by NIP "Kultura S.H" Tetovo

Document No.02-500/2 from 11 August 2004

Editor-in-Chief: Sadri Husmani

Address: ul."A.J.Zurcin" bb Tetovo

**Content: professional**

(literature, film, theatre, music, ballet, modelling, cartoons, sculptures, sport, etc.).

Address: NIP "Kultura SH" ul. "Borce Kocoski" br.115 Tetovo

**"ULBERI PLUS" ("RAINBOW - PLUS") (magazine, monthly, in Albanian language)**

Published by NIP "Ulberi - plus" village of Sipkovica - Tetovo

Document No. 02-572/2 from 22 September 2004

Editor-in-Chief: Adem Abdulahi

Village of Sipkovica - Tetovo

**Content: professional**

(literature, film, theatre, music, ballet, modelling, cartoons, sculptures, sport, etc).

Address: NIP "Kultura SH" ul."Borce Kocoski" br.115 Tetovo

**"ARENA" (newspaper, daily, Albanian language)**

Published by the Company "IM-AL" Tetovo

Document No. 02-695/2 from 12 November 2004

Editor-in-Chief: Imer Aliu

Village of Slatino - Tetovo

**Content: sport**

(sport events both in the country and abroad)

Address: Interpromet building, ul. "Marsal Tito" bb, Skopje

**"SHQIPTARJA" ("ALBANIAN WOMAN") (magazine, monthly, in Albanian language)**

Published by the Publishing, services and trade company

"Shqiptaja" DOOEL - Tetovo

Document No.02-445/2 from 24 August 2005

Editor-in-Chief: Shefqet Osmani

Village of Sipkovica - Tetovo

**Content: educational**

(topics on family issues and promotion of the rights of women)

Address: ul. "Istra" br.19 Tetovo

**"SHQIPTARJA E RE" ("YOUNG ALBANIAN WOMAN")**

**(magazine, monthly, in Albanian language)**

Published by the Publishing, services and trade company

"Shqiptarja" DOOEL - Tetovo

Document No.02 444/2 from 24 August 2005

Editor-in-Chief: Shefqet Osmani

Village of Sipkovica - Tetovo

**Content: educational**

(topics on children)

Address: ul. "Istra" br.19 Tetovo

**"POGLED" (newspaper, monthly, in Serbian language)**

Published by the Marketing Company S.V-RSA Skopje

Document No.02-329/2 from 17 May 2004

Editor-in-Chief Mile Radenkovic

Address: ul. "Partizanski odredi" br.72/107 Skopje

**Content: social-political**

(social, political, cultural, educational and sport topics)

Address: ul "Partizanski odredi" bb - Skopje