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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **The former Yugoslav Republic of Macedonia**

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## **Methodology and the consultation process in drafting the report**

1. This Report has been prepared in pursuance with the guidelines set forth in the Human Rights Council Resolution 5/1 and the General Guidelines for Preparation of Information in the framework of the Universal Period Review (UPR). Recommendations given at the presentation of the National Report of the Republic of Macedonia under the first UPR cycle have been taken into consideration. Macedonia submitted its first Report in February 2009, which was presented during the V session of the Working Group on the UPR, in May 2009. The outcome was adopted at the September session of the HRC in 2009.

2. The UPR resulted in 42 recommendations, which Macedonia has accepted fully or partially, except for one on equalization of same sex partnerships with heterosexual partnerships.

3. Macedonia also prepared a Mid-Term UPR, which was submitted to the OHCHR in March 2012. In preparing the MTR on the implementation of recommendations there were consultations held with in-line ministries and the non-governmental sector.

4. The second Report was prepared by the Ministry of Foreign Affairs, in cooperation with the Ministry of Justice, Ministry of Labour and Social Policy, Ministry of the Interior, Ministry of Education and Science, Ministry of Information Society and Administration, Secretariat for the Implementation of the Framework Agreement, Agency for Rights of Communities, and the Commission for Religious Communities and Religious Groups. In addition, the Report includes information provided by the Broadcasting Council and by the Ombudsman's Office. Consultations were held with the non-governmental sector, before the draft Report was submitted to the Government for endorsement.

## **I. Progress achieved since the consideration of the first report of the Republic of Macedonia in respect of the legal and institutional framework for human rights promotion and protection**

### **A. International obligations – Recommendations 1, 2, 3, 10**

5. The Republic of Macedonia ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and signed the Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights. Regarding the Convention for the Protection of All Persons from Enforced Disappearance, a comprehensive analysis is underway, which will identify areas in which the criminal legislation has to be harmonized with this Convention. Taking into consideration the applicable national legislation in areas covered by the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the possibility for ratification of this Convention will be additionally considered.

6. There are continual efforts for the harmonization of the national legal and institutional framework with international human rights instruments. Macedonia continues to closely cooperate with treaty bodies established under various UN and Council of Europe conventions and undertakes activities in pursuance with their respective recommendations.

## **B. Implementation of international human rights obligations – Recommendations 11, 12**

7. Macedonia cooperates under international procedures and mechanisms for human rights promotion and protection, having extended a standing invitation in 2004 to all UN Special Mandate Holders to visit Macedonia.

8. The UN Special Rapporteurs on Freedom of Religion or Belief, Asma Jahangir and on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue visited Macedonia on 27–29 April 2009 and on 18–21 June 2013, respectively. Independent institutions of regional organizations also visited Macedonia: the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (regular visit from 21 September to 1 October 2010, ad-hoc visit on 21–24 October 2011); from 29 November to 2 December 2010, a delegation of the Advisory Committee on the Framework Convention for the Protection of National Minorities with a view to preparing an Opinion under the third monitoring round under the said Convention. The Delegation of the European Commission against Racism and Intolerance visited Macedonia in the period from 28 September to 2 October 2009. The Delegation of the Group of Experts on Action against Trafficking in Human Beings visited Macedonia on 20–23 May 2013, in the context of the first round of evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. The Council of Europe Commissioner for Human Rights, Nils Muižnieks, paid a regular visit to Macedonia on 26–29 November 2012. The OSCE High Commissioner on National Minorities, Knut Vollebæk, visited Macedonia on several occasions during the reporting period, and his last visit was in May 2013.

9. International observation missions, led by the OSCE/ODIHR, monitored all elections held in the reporting period.

10. In the period from 2009 to 2013, the Republic of Macedonia submitted the following reports under International Human Rights Conventions:

- MTR on the implementation of the UPR Recommendations (May 2009-December 2011), submitted to the OHCHR in March 2012;
- IV and V Periodic Report under the UN Convention on the Elimination of All Forms of Discrimination against Women, submitted in May 2011; (presented on 21 February 2013);
- New Common Core Document on UN Human Rights Conventions submitted in April 2013;
- III Periodic Report under the International Covenant on Civil and Political Rights, submitted in May 2013;
- VIII, IX and X Periodic Report under the International Convention on the Elimination of All Forms of Racial Discrimination, submitted in July 2013;
- III Periodic Report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, submitted in September 2013.

## **II. Progress achieved the consideration of the first report of the Republic of Macedonia in respect of the institutional framework for human rights promotion and protection**

### **A. Judiciary – Recommendation 26**

#### **1. Justice system reform**

11. During the reporting period the Government focused its activities on the justice system reforms, aimed at defining the normative framework, which strengthens independence and efficiency of the judiciary. The novelties introduced under the Law on Civil Procedure in 2011 are especially important in this context. This Law incorporates provisions, which accelerate judicial proceedings by shortening deadlines and by preventing parties to the proceedings from abusing their rights, introduce a case management system in courts, electronic delivery system, audio recording of court hearings etc.

12. The new Law on Criminal Procedure adopted in 2010 (which will enter into force on 1 December 2013) incorporates tools for countering crime, especially organized crime. The most important elements of this Law are: transfer of investigation competences from investigative judges to public prosecutors, control of the police by the Public Prosecutor's Office, introduction of plea bargaining, etc. In the context of efficiency of the judiciary, the inflow of cases is managed and the backlog of cases has been reduced. In 2012, the courts completed all new cases and settled 32.247 backlog cases. The number of pending cases at the end of 2012, compared to 2011 was reduced by 33.020 cases or by 15%. In 2012, first instance courts completed all civil law cases and additionally settled 8.136 backlog cases. In addition, the total number of pending cases has been reduced by exempting from the courts' competences non-contentious cases transferring them to Notaries Public and Enforcement Agents.

13. 33 Public Relations Offices have been opened in the courts and PR officers have been designated.

14. Courts of all instances regularly publish their judgments at their web sites.

15. As part of activities for improvement of the justice information system, the automated computer case management system started functioning in 2009. This system facilitates automatic assignment of new cases to judges, and opening electronic case files, in which all of the relevant information from the hard copy case file is entered.

16. With a view to establishing a uniformed system of court statistics, a Methodology of Judicial Statistics has been adopted, based on the Guidelines on Judicial Statistics (GOJUST), adopted by the European Commission for the Efficiency of Justice (CEPEJ). A software application has been designed for collection, processing and analysis of statistics.

17. From 2007 to 2010, 11 new justice system bodies were established: Judicial Council, Council of Public Prosecutors, Academy for Training of Judges and Public Prosecutors, Administrative Court, Higher Administrative Court, Court of Appeals in the city of Gostivar, Higher Public Prosecutor's Office in the city of Gostivar, Basic Public Prosecutor's Office for fighting organized crime and corruption, Department for prosecution of organized crime and corruption at the Skopje I First Instance Criminal Court, Department for cases relating to trial within reasonable time at the Supreme Court, and Agency for Management of Impounded Property.

## **2. Independence and autonomy of the judiciary**

18. The key elements in enhancing the independence of the judiciary are election, accountability, and evaluation of judges. New provisions were introduced in all these areas by which the national legislation was fully harmonized with international standards. New conditions for election of judges were introduced<sup>1</sup>, the grounds for establishing unprofessional work and malfeasance by judges and their disciplinary responsibility have been redefined on objective criteria. The system for evaluation of judges was fully established, under which the work of judges is qualitatively and quantitatively evaluated, based on the overall results of their work, and by direct monitoring of their judicial performance.

19. The Academy for Training of Judges and Public Prosecutors is operational as of 2006. The new Law on the Academy for Training of Judges and Public Prosecutors adopted in 2010 contains improved provisions relating to initial and continual training. The conditions for admission of candidates for initial training were made stricter, which will help improve the quality of staff working in the judiciary. The Academy provides initial training for future judges/ prosecutors and continual training for judges and other staff. Four generations with 80 candidates for judges/ public prosecutors completed the initial training. 28 January 2013 inclusive, 61 candidates of the four generations having completed the Academy courses were elected to the office of a judge or a public prosecutor.

20. The Judicial Budget will be doubled in the period from 2013 to 2015, with equal annual increase of 0.1%, reaching 0.4% of the GDP in 2012, and reaching 0.8% of the GDP in 2015. This is envisaged in the 2010 Law Amending the Law on the Judicial Budget.

## **B. The Ombudsman – Recommendation 5**

21. Under the amendments to the 2009 Law on the Ombudsman, its mandate has been strengthened with the establishment of separate departments for protection of children's rights and rights of persons with disabilities, for protection of citizens against discrimination, torture and other cruel, inhuman or degrading treatment or punishment and a department for equitable representation.

22. The Ombudsman filed an accreditation application with the International Coordinating Committee of National Human Rights Institutions and acquired status B in October 2011. In its evaluation, the Sub-Committee on Accreditation has established that the Ombudsman's Office of the Republic of Macedonia has a wide-scope mandate for human rights protection, but not for human rights promotion. The Sub-Committee has also requested introduction of a pluralist approach in the appointment of persons to managerial positions, especially in the election of the Ombudsman's Deputies. The recommendations emphasized the need to advance the independence and the public trust in this institution, to ensure funds for the exercise of the mandate of the National Preventive Mechanism in line with the OP-CAT (the 2013 Budget of the Ombudsman's Office has a separate budget line for the NPM), and to strengthen the cooperation with the international human rights system.

23. In this respect, the Inter-Ministerial Human Rights Body tasked the Ministry of Justice, in cooperation with the Ombudsman, to draft the necessary amendments to the legislative framework regulating the mandate of the Ombudsman, by which the process of undertaking measures for ensuring an "A" status has started.

24. Upon the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2008, the Ombudsman was appointed a National Preventive Mechanism, which started performing its tasks to this end in 2011. In 2011, the NPM conducted 18 preventive visits to remand/prison facilities, while in 2012 it conducted 32 visits. The Mechanism functions as a separate department for

prevention of torture, tasked also with independent monitoring of detention facilities in police stations. In 2011 and 2012, 29 police stations were inspected, of which 24 were regular and 5 follow-up visits. The first Report of the NPM covering 2011 was submitted to the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading or Punishment. In compliance with UN recommendations, preventive and protection activities are completely separated. The Mechanism conducts regular unannounced controls of all facilities used for deprivation or limitation of freedom, in its special reports it takes note of complaints as an indication of possible cases of torture, and forwards filed applications to the relevant departments at the Ombudsman's Office for further processing.

25. In conducting its visits the NPM has unimpeded access to all facilities chosen to be inspected, having also the unimpeded possibility of independently choosing persons deprived of freedom to be interviewed, without any supervision or witnesses. It has good cooperation with the Sector for Internal Control and Professional Standards at the Ministry of the Interior.

### **C. Commission for protection against discrimination**

26. The Commission is an autonomous and independent body, which started working in January 2011. Its competences are defined by the Law on Prevention of and Protection against Discrimination. It is composed of seven members, appointed by the Assembly of the Republic of Macedonia to a five-year term, with the right to one re-appointment.

27. The Commission has competences to: process complaints; produce opinions/recommendations on specific cases of discrimination; inform the public about cases of discrimination and take steps to promote and educate about equality, human rights, non-discrimination; monitor the implementation of the Law on the Prevention of and Protection against Discrimination; launch initiatives to amend the legislation; cooperate with bodies responsible for ensuring equality and protecting human rights in the local government; give recommendations to state bodies for implementation of measures for safeguarding equality; give opinions on draft laws that concern the protection against discrimination, etc.

28. From 1 January 2012 to 31 December 2012, the Commission received 75 applications, which is an increase as compared with the first year of the Commission's functioning when it received 60 applications.

### **D. Other institutions for human rights protection and promotion**

29. In 2012, under a decision of the Government, the composition of the Inter-Ministerial Human Rights Body was raised to a higher level and is now headed by the Minister of Foreign Affairs, while State Secretaries and directors at in-line ministries and agencies, respectively are its members. One of its main tasks is to improve coordination of activities for the implementation of recommendations contained in reports of relevant UN committees, as well as of the Council of Europe, the EU, etc.

### **III. Progress achieved since the consideration of the first report of the Republic of Macedonia in respect of human rights promotion and protection**

#### **A. Protection against discrimination – Recommendations 13, 18a**

30. On 8 April 2010, the Assembly adopted the Law on the Prevention of and Protection against Discrimination, which makes legal protection much more accessible, especially by envisaging the establishment of a Commission for Protection against Discrimination, and by setting forth a special court procedure for protection against discrimination.

31. This is the first law in Macedonia that tackles the discrimination issue in a comprehensive manner, and incorporates the fundamental relevant international principles and standards. Also, there are a number of other special laws, which regulate the right to equality of treatment in various areas, as well as laws in which the principle of equality is elaborated in the context of a specific discriminatory ground. The Law on the Prevention and Protection against Discrimination explicitly prohibits direct and indirect discrimination, on the grounds of sex, race, skin colour, gender, belonging to marginalized group, ethnic origin, language, citizenship, social origin, religion or confession, other types of belief, education, political belonging, personal or social status, mental and physical disability, age, family or marital status, property status, health condition. The Law contains an open-ended list of discriminatory grounds. This is confirmed with Article 3, and paragraph 3 of Article 5 in which at the end of the list of discriminatory grounds the following provision is stipulated: "or on any other grounds established by the law or by ratified international agreements." Such open-ended list of discriminatory grounds prohibits any discrimination on grounds of any personal characteristic that is not explicitly referred to in this Law.

32. The Law is applied as of 1 January 2011. There are numerous trainings/campaigns pursued by various stakeholders to raise the public awareness about the non-discrimination principle.

33. In 2012, the 2012-2015 National Strategy on Equality and Non-Discrimination on Grounds of Ethnic Affiliation, Age, Mental and Physical Disability and Gender was adopted. At the beginning of 2013, the Government adopted the 2013 Operative Plan for implementation of the Strategy.

#### **B. Freedom of expression – Recommendations 35, 39**

34. In accordance with the Law on Broadcasting, the Broadcasting Council implements continual activities with a view to ensuring freedom of expression and protection of pluralism in the media.

35. Article 11 of the Law regulates the issue of the ownership structure of broadcasters<sup>2</sup>. Articles 13 to 20 of the Law contain provisions on the protection of pluralism in the media, diversity and transparency in the work of broadcasters. Article 68 sets forth the right to free reception and transmission of information and the right to freedom of expression, as one of the fundamental principles of radio and TV programs.

36. The Council monitors the alignment of programs with program principles and supervises the correct implementation of legal provisions on ownership of media outlets and on media concentration.

37. All founders of broadcasting companies have the duty of submitting to the Council a statement certified by a Notary Public confirming the they are not in violation of the

provisions of Chapter III of the Law on Broadcasting (which are related to the protection of pluralism, diversity and transparency in the work of broadcasters) and that there are no obstacles within the meaning of Article 11, in conjunction with Article 18 of the Law (that related persons are not permitted to be owners of media outlets).

38. The Council has raised the issue of respect for Article 11 of the Law, first in March 2011, then again in January 2012, when it called broadcasters to submit a statement that the broadcasters had not violated provisions contained in Article 11. In 2012, three broadcasters the founders or co-founders of which were holders of public offices or members of their families, or who had a share in the ownership structure of these broadcasters, aligned their ownership structure with the Law. The same year, the Council undertook activities to precisely establish the ownership structure of broadcasters organized as stock holding companies.

39. In May 2013, the Council sent a written communication to all broadcasters underlining that in case following the 2013 local elections there were eventual violations of Article 11, broadcasters needed to align their work with the Law.

40. The Broadcasting Council monitors if there are cases of prohibited media concentration. In such cases, the Council demands that the broadcaster adjust its work/structure with the provisions of the Law within the legally prescribed period.

41. In 2011, the Council established prohibited media concentration with 5 broadcasters (2 local TV stations, 1 national and 2 local radio stations) in violation of Article 13, paragraph 3 of the Law on Broadcasting. After the Council ordered these broadcasters to align their work/structure with the provisions of the Law within the legally prescribed period, all five broadcasters submitted evidence that they had removed the irregularities.

42. In 2012, there were no registered cases of prohibited media concentration; while in 2013, there have been such cases with one satellite TV station, one national and one local radio station. The Council ordered these broadcasters to align their work with the provisions of the Law within three months as of the date when prohibited media concentration had been established.

43. The independence, autonomy and responsibility of broadcasters, editors, journalists and others participating in producing programs and in designing the editorial policy are other principles upon which radio and TV programs are based, as set forth in Article 68 of the Law.

44. In 2012, the Council issued a Handbook on the establishment of market conditions for sustainable economic growth of the media industry and on fair competition and Guidelines on assessing (internal) media pluralism.

45. On 12 November 2012, the Assembly adopted the Law on Civil Law Liability for Offence and Defamation and removed sanctions for such acts from the Criminal Code, which was a step forward in the efforts to advance the freedom of expression.

46. The draft Laws on the Media and on Audio and Audiovisual Media Services are in parliamentary adoption procedure. The texts of these Laws have been drafted in a transparent procedure, which has facilitated on-line submission of remarks/ proposals (which have been made public) and there have been numerous public debates with broadcasters, operators, editors, associations of journalists, freelance journalists, web portals/news generators and NGOs. The remarks of the TAIEX expert, as well as of the OSCE and of the Council of Europe have been also incorporated.

47. The draft Law on the Media prescribes the fundamental principles and conditions that media outlets need to fulfil in order to perform their activities. The Law has been



harmonized with standards of the Council of Europe and the OSCE on ensuring freedom of expression and of media.

48. According to this Law, no license/permission is required for publishing printed media or electronic publications, which is in line with Article 10 of the European Convention on Human Rights. The Law stipulates an obligation for all media to ensure protection of juvenile audience, all media need to adopt a document establishing rights and obligations of the editor-in-chief and the relations between editors and journalists. The right of journalists to work in pursuance with their free assessment and conviction, while respecting journalists' ethics is guaranteed, as is the right of journalists not to disclose their source of information. Media outlets also have the obligation to include the impresum, which ensures protection of the public, i.e. the right of the public to know the holder of information and the producer of the contents, and this brings also the possibility for evaluation and exchange, possibility to exercise the right to a correction in the media, protection of copyrights, etc. The Law prescribes the obligation of all media publishers to publicly state information about their ownership structure, which ensures protection of media pluralism and the possibility for effective enforcement of provisions not allowing media concentration.

49. The draft Law on Audio and Audiovisual Services transposes the Audiovisual Media Service Directive 13/2010/EC. The Law regulates the rights, duties, and responsibilities of broadcasters, providers of audiovisual media services upon request and operators of public electronic communication networks broadcasting or re-broadcasting programs of broadcasters. The Law ensures independence, transparency, and accountability of the in-line regulatory body- the Agency for Audio and Audiovisual Media Services, in accordance with Council of Europe standards.

50. The draft Law contains provisions relating to the public broadcaster – the Macedonian Radio and Television, its work and obligations as a public broadcaster, in line with the Universal model of the European Broadcasting Union.

51. The draft Law ensures protection of pluralism and diversity in audio and audiovisual media services; it bans media concentration, it contains provisions for protection of minor age audience, etc.

### **C. Freedom of religion and belief – Recommendation 36**

52. The Commission for Religious Communities and Religious Groups consistently implements the Law on the Legal Status of Church, Religious Community, and Religious Group. This Law ensures equal legal status to all churches, religious communities, and religious groups, providing them with equal conditions for registration, religious service, religious education, founding religious education institutions, building religious facilities. Thus far, 15 churches, 7 religious communities, and 8 religious groups have been registered.

53. In the past period, several important international events have been held in Macedonia: II and III World Conference on Dialogue among Religions and Civilizations, V Meeting of Leaders of Islamic Religious Communities in the Balkans. The Memorial Holocaust Centre of Jews in Macedonia has been opened and an International Declaration honouring the memory of Holocaust victims has been adopted. On the occasion of Europe Day, in 2011, a joint Declaration was adopted by the leaders of the Islamic religious community and of the Jewish community in Macedonia.

**D. Prevention of torture and inhuman or degrading treatment or punishment – Recommendations 9, 19, 21, 27, 28, 29, 30, 31, 32 (Part II), 33, 34**

54. Activities for the improvement of the penitentiary system continue in pursuance with recommendations of the UN Committee against Torture and of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

55. There is a Project underway for reconstruction of penitentiaries, implemented with funds provided under the national budget and a loan from the Council of Europe Development Bank. The Project envisages reconstruction/construction of facilities in the Idrizovo Prison, Skopje Prison, Kumanovo Prison and Tetovo Educational and Correctional Institution. The Kumanovo Prison was opened officially on 11 September 2013.

56. The V prison wing having the capacity of 95 beds, as well as the watchtowers at the Idrizovo Prison were reconstructed in May 2011. The Health Care Ward at this Prison was reconstructed in April 2012, while in June 2012 the II wing of the Prison having the capacity of 150 beds was completely reconstructed. In addition to the Idrizovo Prison, the Stip Prison and the Skopje Prison have separate admission wards, where inmates are physically separated from the rest of the prison population.

57. At the Skopje Prison, which has the largest number of pre-trial detainees, a new pre-trial detention ward was opened in July 2009, by which the capacity was increased by 170 beds, i.e. now 310 pre-trial detainees can be placed at this ward.

58. With a view to alleviating the problem of over-crowded prisons, a Strategy on the Establishment of a Probation Service was adopted; Under IPA 2010, funds have been allocated for the drafting of a Law on Probation and for the establishment of this Service.

59. The IPA 2009 Project entitled “Capacity Building of the Law Enforcement Agencies for Appropriate Treatment of Detained and Sentenced Persons” started in January 2013. A National Strategy on the Development of the Penitentiary System will be developed.

60. In the context of training for prison staff, there have been several trainings on risk assessment of sentenced persons, workshop on dealing with violent prisoners and on stress management, training of trainers in the area of juvenile justice and training of prison staff working in the security and resettlement sectors. In the context of improving the treatment of prisoners - drug users, with TAIEX support, an evaluation has been made of the applicable program for prisoners-drug users and a workshop has been organized for the Idrizovo Prison staff.

61. With a view to attaining better quality of supervision of prisons by the Directorate for Execution of Sanction, in addition to provisions on supervision contained in the Law on Execution of Sanction, provisions of the Guidelines on Supervision of Prisons are also applied. For the purpose of efficient internal control in prisons, the Instructions on Internal Control System in Prisons and in Educational Correctional Institutions are applied as of 1 December 2012.

62. The 2010-2012 Strategy on resettlement and social adaptation of prisoners serving a sentence and the 2012-2014 Strategy for Health Care in Prisons have been adopted.

63. The Ministry of the Interior (MoI) implements continual activities in the area of human rights education for police officers. The following trainings have been organized: Respect for human rights in exercising police authorities; The role of the National Preventive Mechanism in Macedonia; Rights of persons deprived of freedom; Protection of human rights in exercising police authorities; Respect for the rights of persons deprived of

freedom; Fight against terrorism and protection of human rights; Human rights and Investigating terrorism crimes; Initial basic training for police officers.

64. According to Article 39 of the Law on Internal Affairs, the Assembly of the Republic of Macedonia and the Ombudsman perform external control of the work of the MoI, hence of the work of the Sector for Internal Control and Professional Standards at the MoI. In line with their competences the Public Prosecutor's Office and courts may also control the work of the MoI. The new Law on Criminal Procedure introduces a new criminal procedure, under which the investigative activities are transferred under the competences of the Public Prosecutor's Office; justice police is established, as well as investigative centres at the Public Prosecutor's Office.

65. The following activities have been undertaken with a view to strengthening the capacities of the Sector for Internal Control and Professional Standards : the Rulebook of the Sector has been amended and harmonized with the Law on Processing Complaints and Proposals; the methodology of work has been changed: a new organizational set-up and systematization of jobs have been adopted; the website of the MoI has a section providing the possibility for electronic submission of complaints; mailboxes have been placed at police stations where citizens can submit their complaints; each Tuesday is an open day for citizens when they get information, present their remarks and suggestions. There are also trainings for the staff at the Sector organized with the assistance of the OSCE ICITAP, and the SECI Centre. The cooperation with the Ombudsman and with NGOs is advanced and there are joint trainings with representatives of the Ombudsman and of the NGOs.

66. The Sector for Internal Control conducts unannounced visits to police stations and inspects the detention facilities and the records of persons whose freedom has been deprived on any ground.

67. Representatives of the Sector and of the Ombudsman inspect the detention facilities at police stations of general competences. Such controls have also been conducted in cooperation with the NGO called "All for Fair Trials".

68. Two police stations have been completely reconstructed with financial assistance under the CARDS Program, while with funds provided under IPA 2007, detention facilities in eight police stations have been refurbished. The Rulebook on general normative standards on detention facilities in police stations of general competences was adopted in 2012.

69. According to the Laws on Police and Juvenile Justice, police officers trained for prevention of juvenile delinquency exercise police authorities with respect to minors. The use of means of coercion is regulated under the Law on the Police, which establishes the conditions under which persons can be handcuffed, i.e. usually, the police officers handcuff persons with the persons' hands on the back. Handcuffing is considered an instrument of coercion.

70. The Code of Police Ethics envisages that in undertaking police intervention activities, police officers are to act in following with the specific needs of certain categories of persons, such as children, minors, women, old and feeble persons, and persons with health problems.

## **E. Gender equality – Recommendations 16, 17**

71. The new Law on Equal Opportunities for Women and Men was adopted in January 2012. The 2013-2020 Strategy and the 2013-2016 National Action Plan on Gender Equality have been adopted in pursuance with this Law.

72. The 2012-2015 Strategy on Gender Responsive Budgeting has been adopted, under which, state administration bodies have the duty of mainstreaming the principle of equal opportunities for men and women in their strategic plans and budgets.

73. As regards the gender equality institutional framework, a mechanism on equal opportunities for women and men has been established, which functions both at the national and at the local level. The Ministry of Labour and Social Policy is the in-line Ministry regarding this issue at the national level. This Ministry has established a Sector for Equal Opportunities and has designated a State Counsellor for equal opportunities, who acts as a legal representative in presenting evidence of unequal gender treatment, perpetrated by entities both in the public and in the private sector. A Coordinator and Deputy Coordinator for equal opportunities have been designated at all Ministries, responsible for gender mainstreaming, for the implementation of the Strategy and other strategic documents on gender equality, and for the submission of annual reports about their activities to the Ministry of Labour and Social Policy.

74. The Commission for Equal Opportunities of Women and Men at the Assembly also has an important role in this context. Along with the Women MP's Club, this body serves as a mechanism for gender mainstreaming at the highest representative and legislative body.

75. Gender mechanisms locally are made up of Commissions for equal opportunities of women and men and Coordinators for equal opportunities of women and men.

76. The Ministry of the Interior undertakes activities for promoting greater number of women in the police, which ranges from 13 to 14%. June 2013, inclusive, the situation is the following:

- 12.66% employed women;
- 46.61% women at the strategic level at the Public Security Bureau;
- 10.47% women at managerial positions;
- 12.21% women at the operative level.

77. Conditions for employment and promotion at the Ministry are equal for all in line with the Law on Internal Affairs and the Rulebook on the manner and procedure for career promotion of authorized officers at the Ministry.

78. Women represent 30.8% of the total number of MP's at the Assembly, while out of 19 Ministers at the Government, two are women, and there are four women Deputy Ministers.

79. According to the analysis made by the Macedonian Women's Lobby, after the 2013 local elections, out of 1347 elected candidates, 405 or 30% are women, whereby the number of women at the local self-government has increased by 2.8%. At the 2013 local elections, out of 339 candidates for mayors, 26 were women. Out of 81 elected mayors, 4 were women or 4.9%.

80. The active employment measures and programs (internships, foreign language training, computer skills training, project for self-employment through crediting, self-employment and formalization, financial support to legal entities, advanced IT skills training, business start-up training, subsidized employment) cover also women in rural areas.

## **F. Rights of the child – Recommendations 4, 7, 8, 23, 24**

81. In 2010, with UNICEF support, the Ministry of Justice made a comparative analysis of the national legislation and the Convention of the Rights of the Child.

82. In September 2012, the Government adopted a revised 2012–2015 National Action Plan on Children's Rights, prepared in cooperation with the UNICEF.

83. The revised Action Plan recognizes the hitherto progress in facilitating provision of services such as health care, which is almost absolutely free of charge, as well as the progress in the provision of free education for children. The Action Plan has the aim of dealing with remaining challenges by strategically focusing on equity, inclusion and efficiency, areas where additional efforts are required.

84. The National Coordination Body for Protection of Children against Abuse and Neglect established in June 2012, is composed of representatives of in-line institutions in Macedonia, representatives of citizens' associations and representatives of the offices of the World Health Organization and UNICEF in the country. The 2013-2015 National Action Plan for Prevention and Countering Abuse and Neglect of Children was adopted in December 2012.

85. The new Law on Child Protection adopted in February 2013 prohibits all forms of sexual exploitation and sexual abuse of children (harassment, child pornography, child prostitution), violent pandering, sale or trafficking in children, physiological or physical violence and ill-treatment, punishment or other degrading treatment, all forms of exploitation, commercial exploitation and abuse of children, by which fundamental rights and freedoms of children are violated. Sanctions for non-implementation of the provisions of the Law have been made stricter and fines have been introduced.

86. In the context of further improving the application of the Law on Juvenile Justice, implemented as of 30 June 2009, quarterly analysis are made, which review the application of the Law, while focusing on activities of Social Work Centres in applying measures of restorative justice and on preventive activities by the Ministry of the Interior. The IPA Project Justice for Children was implemented from 2010 to 2012, under which there were activities for advancement of the legal framework and standards for the application of the Law, activities for strengthening the institutional capacities required for the proper implementation of the Law, and activities for designing plans and instruments for prevention of juvenile offences.

87. The State Council for Prevention of Juvenile Delinquency started operating in 2009. According to the Law on Juvenile Justice, this Council is an autonomous and independent body composed of 15 members. The Council has adopted a National Strategy for the Prevention of Juvenile Delinquency.

88. The legislation prohibits corporal punishment of children. Article 9 of the Law on Child Protection prohibits psychological and physical ill-treatment, punishment or other inhuman treatment or abuse of children. Chapter XV of this Law contains misdemeanour provisions. Corporal punishment of children amounts to domestic violence, according to the Law on the Family and a crime according to the Criminal Code. The Laws on Primary and on Secondary Education prohibit physical and psychological ill-treatment of students.

## **G. Domestic violence – Recommendations 20, 22**

89. The Government adopted the 2012-2015 National Strategy for the Prevention of and Protection against Domestic Violence, which will be implemented in: prevention, protection, assistance and support to victims; prosecution of perpetrators; inter-ministerial

cooperation and strengthening institutional capacities; monitoring and evaluation. The Government has also established a National Coordination Body for prevention of and protection against domestic violence, composed of representatives of in-line ministries, MP's and representatives of the National Network against Domestic Violence (made up of NGOs working on this issue).

90. The Law on the Family defines the mandate of Social Work Centres in working with victims of domestic violence and courts procedures when courts pronounce provisional protection measures. When the Centres have relevant information, they undertake the following measures: accommodation of victims up to 3 months, with a possibility for prolongation for another 3 months; provision of appropriate health care; relevant psycho-social interventions and treatment; referral to counselling; if in the family there are children regularly attending school, assistance for the continuation of regular school attendance; the Centres inform prosecution bodies; provide legal assistance and legal representation; institute relevant court proceedings; if necessary, file motions with relevant courts asking for provisional protection measures, etc. Social Work Centres obligatorily undertake protection measures in cases of juvenile victims or if the victim is a person without legal capacity.

91. Court Protection: Social Work Centres file a motion for institution of a procedure for pronouncement of a provisional measure for protection against domestic violence with the relevant court. The Centres file such motions obligatorily when the victims are minors, and persons without legal capacity, while when the victim is a person of legal age having legal capacity such motions are filed by Social Work Centres only upon consent of the victim of domestic violence. Courts may pronounce a series of other provisional measures. There are penal provisions as well against entities, which the law obliges to obligatory report cases of domestic violence with the competent Centre.

92. The Law on Social Protection introduces new forms of non-institutional protection, such as Centre for Victims of Domestic Violence. The Centre provides daily and provisional reception and accommodation of victims, counselling services, alimentation, daytime accommodation, care, facilities for maintenance of hygiene and cultural and entrainment activities. Services within the Social Work Centres for work with victims of domestic violence and a network of regional shelters for victims of domestic violence have been established.

93. The Law on Free Legal Assistance was adopted in 2009 and is applied as of July 2010. Persons who considering their material status could not exercise their rights guaranteed under the Constitution and laws, without putting at risk their own subsistence and the subsistence of family members who live in the same household have the right to free legal assistance. Free legal assistance is granted in all court and administrative procedures, in cases in which the court deliberates on an issue of interest to the applicant for free legal assistance, including victims of domestic violence.

94. Regional units of the Ministry of Justice and authorized citizens' associations provide preliminary legal assistance. The Minister of Justice decides on applications for free legal assistance, which is financed under the Budget of the Ministry. Lawyers provide free legal assistance in court and administrative procedures. In cooperation with the Bar Association, the Chamber of Notaries Public, the Chamber of Mediators and the Chamber of Enforcement Agents, the Ministry of Justice organizes (on quarterly basis) days of free legal advice for all citizens on issues in areas of mediation, lawyer's profession, notary public work and enforcement activities.

## **H. Protection of rights of disabled persons**

95. The Government has adopted the (Revised) 2010-2018 National Strategy on Equalization of Rights of Persons with Disabilities, aimed at establishing legislative and institutional capacities for implementation of the Convention on the Rights of Persons with Disabilities. The Strategy envisages provision of support to organizations of persons with disabilities, and their participation in the decision-making processes relating disability. The National Coordination Body on Equal Rights of Persons with Disabilities, which has representatives of national disability organizations, ministries/institutions having competences in this area, is tasked with the implementation of the Strategy. It continually follows all applicable regulations and proposes their qualitative improvements in favour of persons with disabilities. The activities, equipment, and premises of this Body are financed under the National Budget.

96. A National Coordination Body for implementation of the UN Convention on the Rights of Person with Disabilities, chaired by the Minister of Labour and Social Policy and comprised of representatives of in-line institutions, representatives of the National Council of Disability Organizations and a representative of the Polio Plus movement against disability, was established in November 2012.

## **I. Rights of persons belonging to non-majority communities – Recommendations 6, 8, 14, 24, 40, 41**

97. Fostering good inter-ethnic relations founded on the principles of mutual tolerance and respect, equal treatment of all before the law, and implementation of the Ohrid Framework Agreement (OFA) are the long-term priorities of the Government. There are activities undertaken for the continual promotion of a peaceful and harmonized social development, through dialogue and respect for the principle of equitable representation at state administration bodies and other public institutions of citizens belonging to all communities in Macedonia. There are guarantees for full protection of the ethnic, cultural, linguistic, and religious identity of all communities in Macedonia. Persons belonging to the communities have the right to freely express, foster and develop their identity and specific features of their communities and to use the symbols of their communities.

98. The Secretariat for Implementation of the Framework Agreement started working in January 2008. The priorities and goals of the Secretariat are: monitoring and promotion of equitable representation; development and advancement of capacities for policy analysis and coordination; regular informing the public about the process of implementation of the OFA; coordination, promotion and monitoring the development of an integrated education system, the decentralization process, the progress in the implementation of the Law on the Use of Languages, the progress in the application of non-discrimination measures; development and strengthening the cooperation with associations of citizens and foundations.

99. In 2011, the Law amending the Law on the Use of Languages spoken by at least 20% of the citizens of the Republic of Macedonia and in units of local self-government was adopted, which in fact expands the use of languages of the communities. This Law is applied in the work of the Assembly, especially in the work of the Assembly committees, and in units of local self-government. There are activities underway for the preparation of an Action Plan that will define the manner of use and assessment of the use of the communities' language by all institutions having the legal obligation to apply this Law.

100. In accordance with the Law on Local Self-Government, all 20 municipalities, in which at least 20% of the total number of inhabitants belongs to a certain community, have

established municipal Committees for relations among communities, while 14 other municipalities have established such Committees although they are not legally obliged to do so.

101. The Strategy for Integrated Education was adopted in 2010.

102. The Agency for Rights of Communities was established under the Law on the promotion and protection of rights of persons belonging to communities, which represent less than 20% of the population, adopted on 17 July 2008. The Agency started working on 25 November 2009. The basic goal of the Agency is to facilitate greater integration of persons belonging to communities in all areas of social life, while preserving their ethnic and cultural features. It monitors the implementation of laws, which regulate the rights of persons belonging to communities, which represent less than 20% of the population. The Agency harmonizes its work with the Secretariat for the Implementation of the Framework Agreement, the Department for development and promotion of education in the languages of persons belonging to communities and the Department for advancement and promotion of the culture of persons belonging to communities in Macedonia.

103. In May 2013, in cooperation with the Department for promotion and development of education of persons belonging to communities, the Agency implemented a promotional campaign in primary schools in order to raise the awareness of parents and pupils about instruction in the mother tongue. In 2012, with financial support from the OSCE Mission in Skopje, a Handbook was prepared entitled "Implementation of rights of communities-practices, mechanisms and protection." In 2013, 15 municipalities are planned to be visited, in which debates organized and meetings with citizens are to be organized to promote the Handbook.

104. In 2012 and in 2013, in cooperation with associations of citizens and foundations of all communities and relevant institutions at the central and local level, quarterly participative forums were organized for the purpose of exchanging information and experience, and considering the needs of persons belonging to communities and their full participation with their proposals for future activities. The purpose of the participatory forum is to enhance the cooperation between state administration bodies and the communities, to facilitate joint consideration of issues of interest to communities, as well as the preparation of recommendations, draft laws and other documents, to facilitate presentation of opinions regarding proposed Government policies, which can have a direct or indirect impact on the exercise of rights of communities.

### **Rights of the Roma**

105. Policies and activities for inclusion of Roma in Macedonia have been defined under the National Strategy for Roma in the Republic of Macedonia and the 2005-2015 Decade of Roma Inclusion, i.e. under relevant National Action Plans for implementation of the Strategy and Decade in areas of education, housing, health care, and employment. Municipalities with majority Roma population have prepared local action plans, which they implement depending on their available budget.

106. The Project for inclusion of Roma children in pre-school education continued in 2013, as well. In the 2012-2013 academic year, 459 Roma children at the age of 3.8 to 5.7 years were included in pre-school education in 18 municipalities. The Project is implemented in cooperation with the Roma Education Fund, municipalities and public pre-school institutions.

107. The 2012 Operative Plan of active employment measures and programs included the Roma as a target group of Programs for Inclusive Growth (Programs for subsidies, for internship, for community work, Pilot program for subsidies for users of state agriculture land, Programs of combined packages for employment support). Roma could apply and be



included in other employment programs and measures. In 2012, about 470 Roma applied under these programs. Under the Program of organizing public works, 176 Roma concluded contracts i.e. were engaged for work. The 2013 Operative plan for active employment measures and programs also includes Roma as a target group of envisaged programs and measures. Roma are included in programs and measures under the Operative Plan through the cooperation with the Employment Agency and Roma Information Centres (RICs). A total number of 161 Roma applied under the Program of active employment measures in the first half of 2013.

108. In the context of improving the access of Roma to the health care system, in 2012, 16 Roma health care mediators started working in 8 municipalities.

109. From January to December 2012, 3,918 Roma contacted the eleven RICs. From January to May 2013, 1,504 Roma contacted the 11 RICs asking for services, support and information about various problems relating to social protection rights, health care rights, housing problems, education, employment, issuance of personal identification documents, and discrimination. The Project for strengthening the RICs in promoting the right to proper housing for the Roma was completed at the end of February 2013. This project was implemented in cooperation with the OSCE Office in Skopje. Handbooks for the RICs have been prepared, with guidelines according to which the Centres provide information about rights and duties of citizens in areas of employment and housing.

110. Mobile legal assistance offices have continued working in 2013, providing legal assistance to persons belonging to the Roma community. Three legal counsellors engaged by the OSCE and 4 volunteers supported by the Ministry of Labour and Social Policy work in these mobile legal offices.

111. There have been activities aimed at improving the situation of Roma women: two trainings, organized with support under the Project for implementation of the Roma Strategy supported by the European Commission, for Roma women's organizations about protective mechanisms in exercising the right to equal treatment and protection against discrimination. 20 persons attended the two trainings each. Under this Project, Guidelines have been prepared in the exercise of the right to equal treatment and non-discrimination, intended for the NGO sector. A Guidebook has been prepared on the access of Roma, especially Roma women, to services of state institutions. In 2010, the Government adopted the II National Action Plan for advancement of the social status of Roma Women in Macedonia, covering the period from 2011 to 2013. The Action Plan covers four priority areas of action: employment<sup>3</sup>, health care<sup>4</sup>, education,<sup>5</sup> and human rights<sup>6</sup>.

112. The action for identifying persons not registered in the civil registry records started on 26 September 2011. Mixed teams composed of representatives of regional units of the Ministry of the Interior, the Department for Civil Registry Records, Social Work Centres, RICs and Roma NGOs worked on the field locating and identifying Roma that have not been entered in the civil registry records (Birth Register). A working body has been established, composed of representatives of the Ministry of Labour and Social Policy, MoI and the Department for Civil Registry Records, which considers and discusses the findings from the field research.

113. DNA analyses were made in the period from 13 to 21 December, 2012 for persons found without personal identification documents (32 in total). The results were submitted to the Department for Civil Registry Records for further procedure, i.e. for entering the concerned persons in the Birth Register. As of the start of the action until presently, 91 cases have been completed, and the concerned persons have been entered in the Birth Register or their personal name has been additionally entered.

114. According to the survey made by the UNICEF from 2006 to 2011, there is a greater percentage of enrolment and completion of primary and secondary school at the national

level, also among children from poorest families. In primary education, the net attendance percentage has been increased from 95 to 98% at the national level, while this percentage has been raised from 86 to 96.5% among Roma children, while among the poorest population this percentage has been raised from 86 to 96.5%. The rate of completion of primary education has been raised from 83 to 97% at the national level, while among the Roma children there has been an increase from 45 to 97% and from 62 to 85% among the poorest families. The percentage of children enrolled in secondary schools has been increased from 95 to 98% at the national level, from 27 to 98% among the Roma and from 92 to 96% among the poorest families.

## **J. Trafficking in human beings – Recommendation 25**

115. The amendments to the Criminal Code were adopted in September 2009. Amendments were made to Articles 418, a, b, and d, which prescribe sanctions for official persons against perpetration of crimes of trafficking in human beings – at least 8 years up to 10 years prison sentence in case the victim is a person of minor age.

116. From September 2009 to 1 June 2013, the Ministry of the Interior detected a total number of 15 cases of trafficking in human beings and of trafficking in minors, in which a total number of 56 perpetrators were involved. The victims of these crimes were 18 women, 13 of which were minor girls. Four of the victims were Albanian nationals, one Bulgarian and one B&H national. In the first five months of 2013, there were no cases of trafficking reported.

117. In 2010, the Standard Operative Procedures for Treatment of Victims of Trafficking in Human Beings were revised and adopted by the Government as a binding document for all government bodies and NGOs working in this area.

118. The Centre for Victims of Trafficking in Human Beings was established in January 2011 (in line with the Law on Social Protection of June 2009).

119. The Government adopted a Strategy and a National Action Plan for fight against trafficking in human beings and illegal migration covering the period from 2009 to 2012 and the period from 2013 to 2016.

120. With a view to intensifying the efforts in the fight against trafficking in human beings and against prostitution, there have been large number of trainings organized, as well as other forms of professional advancement attended by 1,355 employees at the Sector for Border Affairs and Migrations and at the Unit against trafficking in human beings and migrant smuggling (about 50 participants).

121. As of the opening of the Centre for Victims of Trafficking in Human Beings until September 2012, 12 persons were placed there (2 full-aged persons and 10 juveniles). Two persons were foreign nationals who had temporary residence permits. This Centre accommodates victims of trafficking who can be Macedonian or foreign nationals with temporary residence permits. A seminar has been organized for (30) Directors of Social Work Centres at which they have been informed about the concept of trafficking in human beings, international and national legislation, institutional mechanisms for the prevention, detection, and prosecution of perpetrators and about the measures required for prevention and protection.

122. The Newsletter, the purpose of which is to better inform, and improve the cooperation and coordination with Social Work Centres and other involved institutions is published since 2012.

123. In June 2013, the Ministry of the Interior started the preventive campaign entitled “Integrated approach to the prevention of labour exploitation in countries of origin and of destination”, under the motto “You have the right to work-labour exploitations is a crime.”

## **K. Other issues**

### **Recommendation 15**

124. With a view to ensuring equal opportunities and possibilities for all, in 2010 the Government adopted a National Strategy for Fight against Poverty and Social Exclusion covering the period from 2010 to 2020, focused on five priority areas: employment, social and health care, long term care and housing, gender mainstreaming and inclusion of children’s rights.

125. Aiming at better social protection of street children, activities have been undertaken for development of social services for this category of children. Three day-care centres have been opened for street children (2 in Skopje and 1 in Bitola) and one 24 hour transit centre has been opened in Skopje. A Multi-Disciplinary Protocol for Treatment of street children has been adopted and the Methodological guidelines for treatment by professionals at Social Work Centres have been revised (with a focus on preventive activities). There have been trainings for employees at Social Work Centres, at the Ministry of the Interior, Ministry of Education and Science, and at the Ministry of Justice about treatment of street children. The Ministry of Labour and Social Policy and the Ministry of the Interior conduct joint actions for reducing the number of street children. The actions are supported with professional advice by Social Work Centres to parents about care and up-bringing of children, acquiring personal identification documents by street children, provision of health care, education, etc. Consequences of the lack of care and neglect of children are also underlined, as are sanctions for such treatment of children. The 2013-2015 Action Plan for Street Children has been adopted and it strongly focuses on social protection and health care for these children and their inclusion in the education system through various forms. A free SOS telephone line has been introduced, which can be used to report cases of street children or cases of children victims of sexual abuse.

126. In November 2008, the Government adopted an Action Plan for prevention and treatment of sexual abuse of children and paedophilia covering the period from 2009 to 2012. At the beginning of 2012, the Ministry of Labour and Social Policy promoted a website, for reporting cases of sexual abuse of children and paedophilia. The Law on a Special Register of persons convicted of crimes of sexual abuse of juveniles and of the crime of paedophilia was adopted in 2012.

127. In July 2010, the Government adopted the 2010-2020 Strategy on Elder Persons, the purpose of which is to create an integral and coordinated policy for protection of elder persons, with the ultimate goal of improving the quality of their life. A National Coordination Body has been established for monitoring and evaluating the implementation of the Strategy.

### **Recommendation 32 (first part of the Recommendation)**

128. In 2013, in coordination with the relevant services of the Ministry of the Interior, the National Commission against Small Weapons and Light Arms plans to amend the Law on Arms in order to strengthen the security and safety of citizens.

129. In the reporting period, 775 crimes of illegal trafficking in arms were detected, involving 877 perpetrators and various arms and munitions have been seized.

130. On the occasion of 9 July – Small Arms Destruction Day, in cooperation with the Administration for management of confiscated and impounded property, in the period from 1 September 2009 to 31 May 2013, the National Commission against Small Arms and Light Weapons, destroyed 1,967 pieces of various arms for which criminal or misdemeanour proceedings have ended with a final judgment, as well 1,560 pieces of old, broken, non-standard and unused arms, 282 pieces of cold weapons and 1,230 pieces of other weapon parts from the storage facilities of MoI.

### **Recommendation 37**

131. The Government closely cooperates with the OSCE/ODIHR and with the Venice Commission on implementing of their recommendations and on the advancement of the election legislation. The Government established a Steering Committee (chaired by a Deputy Prime Minister) to address the OSCE/ODIHR recommendations on the 2011 early parliamentary elections. Two Working Groups have been established: one preparing amendments to the election legislation and one for inspection of the Voters' List. The Ministry of Justice and the State Election Commission coordinate the Groups.

132. The first meeting of the Working Group for Revision of the Voters' List was held on 9 March 2012. To the end of that year, the Working Group convened seven meetings, and at the last meeting, the number of voters on the Voters' List was established (for the local 2013 elections) using biometric documents as an instrument to examine/revise the List.

133. On the basis of information submitted by the Ministry of the Interior about the number of nationals of the Republic of Macedonia, having a valid personal identification card or a passport, 30 November 2012 inclusive, the Working Group established that 1,749,038 nationals are registered in the Voters' List, of whom 1,686,130 live in the Republic of Macedonia, while 62,908 Macedonian nationals are outside Macedonia. Citizens could inspect information about themselves contained in the Voters' List.

134. At the last public inspection that lasted from 26 January to 9 February 2013, 43,633 citizens exercised their right to inspect the Voters' List. Following the public inspection, a total number of 3,560 applications were filed for changes to the Voters' List, of which 1,784 applications for entering citizens on the Voters' List, 1,733 applications for change of data (residence address, change of surname and similar), and 3 applications for removal from the Voters' List.

135. The website of the State Election Commission offers an application using which citizens can check the Voters' List, while the application registers the number of citizen making inquiries.

136. The EC decided that nationals of Macedonia would be able to exercise their voting rights provided that they possess a valid biometric personal identification document. There were campaigns to increase the number of nationals possessing biometric documents. The number of citizens entered in the Voters' List could be changed up to 15 days before the elections.

137. During various election cycles, high ranking Government officials have made public statements regarding allegations for intimidation of voters, while encouraging citizens to report cases of abuse. As regards activities and campaigns pursued about the secret ballot as a mean to counter voter intimidation and the encouragement of the citizens to report cases of abuse in line with the provisions of the Electoral Code, continual education activities intended for voters have been carried out for each election cycle. The Commission adopts a program and establishes the standards for obligatory education of the electoral administration and electoral bodies, adopting as well a program for provision of information to the public and voters, coordinating activities in this respect. For the 2013 local elections, the Commission implemented an education campaign, using media outlets.

Three video spots were produced<sup>7</sup>; three audio spots and educational material were published in the printed and digital media outlets. The Commission implemented two modules of obligatory education of Municipal Electoral Commissions.

138. With a view to protecting the right to secret ballot, in line with the Law on Protection of Personal Data, and the Rulebook on technical and organizational measures for ensuring secret ballot and protection in processing personal data, presidents, members, secretaries of municipal electoral commission and their deputies had the obligation of signing a statement to ensure the secret ballot and to protect personal data.

#### **Recommendation 38**

139. The participation of the civil sector in the decision making process and in ensuring social services is continually encouraged. Its development will be further supported through the implementation of the 2012-2017 Strategy for Cooperation with the Civil Sector.

140. The Law on Associations and Foundations (adopted in April 2010) regulates the manners, conditions and procedures for the establishment, registration and dissolution of associations, foundations, alliances, organizational forms of foreign organizations in Macedonia, the property they have, supervision, status changes and the status of organizations of public interest. Under this Law, a Commission for organizations with a public interest status was established in March 2012.

#### **Recommendation 42**

141. In accordance with Resolution 9/12 adopted by the Human Rights Council in 2008 Macedonia undertakes comprehensive measures to implement the 10 voluntary human rights goals. The information contained in the first and this UPR Report, and in national reports under UN Human Rights Conventions is an indicator of the commitments and activities of the Republic of Macedonia in this respect.

## **IV. Priorities of the Republic of Macedonia for advancement of human rights**

### **Priorities at national level for human rights advancement**

- Implementation of justice system reforms in order to ensure a functional and efficient judicial system to protect human rights;
- Further implementation of the Ohrid Framework Agreement;
- Implementation of the Strategy for Roma and Action Plans in line with the Strategy and the 2005-2015 Decade of Roma Inclusion;
- Advancement of rights of women and girls;
- Application of laws and policies for the prevention of and fight against all violence against women and girls, including domestic violence;
- Promoting children's rights;
- Promotion of rights of persons with disabilities;
- Strengthening efforts for alleviating the effect of economic policies on vulnerable groups;

- Continual harmonization of the national legislation with international human rights standards;
- Publication of national reports, and reports/ conclusions of international human rights bodies at the website of the MFA and further strengthening mechanisms for debate about the recommendations;
- Support to the independence of national human rights institutions in line with the Paris Principles.

*Notes*

- <sup>1</sup> Proficiency in the English language, average mark of 8, election of candidates that have received the highest marks.
- <sup>2</sup> Political parties, state bodies, units of local self-government, holders of public offices and members of their families may not be owners, co-owners, founders, co-founders of broadcasters.
- <sup>3</sup> Enhanced possibilities for integration in the labour market by timely informing the target group, using appropriate models adjusted to the group's needs. There were 24 informative meetings in which 379 Roma women took part. There were also 20 trainings for successful presentation of oneself at the labour market, in which 275 women Roma took part.
- <sup>4</sup> Improvement of the access to primary health care by improving the level of information and the awareness about the need for prevention; opening gynaecological offices in municipalities with significant number of Roma. A Report on the health status of Roma under the Report on the health status of the population in Macedonia, was prepared. A brochure entitled "Healthy and Happy in Macedonia" was published in the Roma language.
- <sup>5</sup> Increasing the number of Roma women who have completed primary and secondary education by establishing the exact number of male and female Roma dropping out of schools and their inclusion in the education process.
- <sup>6</sup> Equal possibilities for equal access to exercise of human rights by Roma women. In this respect, there have been three trainings intended for employees at institutions, which Roma women most often contact (Ministry of the Interior, Social Work Centers, Ombudsman, Employment Agency). The trainings have covered 29 employees at institutions, as well as 8 representatives of the non-governmental sector and 3 representatives of the Roma Information Centers.
- <sup>7</sup> Educative, informative and a video spot explaining what is prohibited.