

Macedonia

The Government of Macedonia has a National Action Plan to Combat Trafficking of Children (2009–2012). The Government has also assembled a variety of agencies and mechanisms devoted to ending the worst forms of child labor. However, social programs addressing the unique needs of street children and child victims of human trafficking are lacking. Forced begging on the streets continues to be a problem.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	9.9*
Attending School	5-14 yrs.	84.7
Combining Work and School	7-14 yrs.	11.5

* Population of working children: 30,052








Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Macedonia are engaged in the worst forms of child labor,³⁴⁵⁸ particularly as victims of domestic and international trafficking for commercial sexual exploitation and in forced begging on the streets.³⁴⁵⁹ Some children, mostly Roma, are forced into organized begging in open markets, on the streets, and in bars at night. Children who work on the street may be exposed to multiple dangers, including severe weather, vehicle accidents, and criminal elements.

Laws and Regulations on the Worst Forms of Child Labor

The Constitution of Macedonia and the Labor Relations Act set the minimum working age at 15.³⁴⁶⁰ Article 63 of the Labor Relations Act states that a person must be at least 18 to engage in hazardous work; it also stipulates that children under age 18 may not work underground or underwater, engage in strenuous physical labor, or perform other jobs that may be harmful or threatening to their life or health.⁴

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Forced labor is prohibited by Article 11 of the Constitution.³⁴⁶² The minimum age for voluntary military service is 18, and there is no compulsory military service.³⁴⁶³ The Criminal Code bans

prostitution and procuring people for prostitution, in addition to slavery and the transporting of people in slavery. Trafficking is prosecuted under Article 418 of the Criminal Code.³⁴⁶⁴

The Law on Foreigners allows foreign child victims of trafficking two months of temporary residence to determine whether or not they wish to assist the authorities with prosecutions. This period can be extended several times.³⁴⁶⁵ Furthermore, the issuance of residence permits is conditional upon a child victim's willingness to cooperate with authorities in the investigation, but not conditional upon testimony during the prosecution of traffickers.³⁴⁶⁶

While begging itself is not illegal in Macedonia, the use of children for forced, organized, or exploitative begging is prohibited under Article 201 of the Criminal Code.³⁴⁶⁷ Article 201 also states that it is illegal for parents or guardians to coerce children into forced prostitution for their own interest.³⁴⁶⁸

Education in Macedonia is free and compulsory to age 15, which is also the minimum age that children can start working in Macedonia.³⁴⁶⁹

Institutional Mechanisms for Coordination and Enforcement

The Government of Macedonia has created the National Commission for Children's Rights (NCCR). Among other activities, the NCCR is expected to monitor the involvement of all institutions that work to combat trafficking in human beings.³⁴⁷⁰ Research does not indicate whether the NCCR coordinates actions to address child begging or other worst forms of child labor in Macedonia. The NCCR meets six times a year to draft and monitor implementation of policies and strategies. The NCCR has created a subgroup specifically for addressing the needs of child victims of trafficking.³⁴⁷¹

The National Commission for Trafficking in Persons and Migrant Smuggling, including

child trafficking, is responsible for drafting legislation and coordinating anti-smuggling and anti-trafficking efforts.³⁴⁷² The Government of Macedonia has established the Office of the Ombudsman, which receives complaints of hazardous and forced child labor, although no official complaints were received in 2010.³⁴⁷³

The State Labor Inspectorate, a department within the Ministry of Labour and Social Policy, is responsible for workplace inspections and monitoring of labor law violations, including those regarding child labor.³⁴⁷⁴ There are 110 labor inspectors to cover labor relations and occupational safety and health inspections.³⁴⁷⁵ In regional offices with only one inspector, he or she may cover both roles, sometimes without training on occupational safety and health standards for children.³⁴⁷⁶ Occupational safety and health and labor relations inspectors are mandated to carry out at least 60 inspections per month and at least once a year within the following sectors: industrial, agriculture, trade, construction, forestry, transport, communal services, craft trade, hotel and restaurants, schools and universities, workshops, and laboratories used for professional practice.³⁴⁷⁷ Inspections for all other premises are required once every 3 years.³⁴⁷⁸

During the reporting period, the Ministry of Labor partnered with OSCE to train 110 labor inspectors on identifying labor trafficking and procedures for investigating these crimes through coordinating their activities with the National Referral Mechanism Office (NRM).³⁴⁷⁹ The NRM also coordinates the work of the 30 Centers for Social Welfare, which may involve providing services to trafficked children.³⁴⁸⁰

There is no nationally accessible registry of inspections that have been carried out by MLSP inspectors because the results of inspections are recorded on paper. These results are kept in regional offices and are not shared with other regional offices.³⁴⁸¹

The Ministry of the Interior (MOI) is the agency responsible for enforcement of criminal laws on the worst forms of child labor, including human trafficking and forced begging. The MOI has a Border Affairs section, a monitoring and enforcement division that plays a critical role in the identification of victims at border points; it is empowered to accept and process temporary residence permits that can be issued to victims of human trafficking.³⁴⁸² Within the Organized Crime Department, two informal sub-units comprise the Trafficking in Human Beings section (THB).³⁴⁸³ The THB section includes 14 specialized police officers located in Skopje, the capital of Macedonia.³⁴⁸⁴ These officers receive training on the standard operating procedures for treating victims of trafficking.³⁴⁸⁵

The Ministry of Foreign Affairs provides protection and assistance to foreign child victims of human trafficking and utilizes the Transnational Referral Mechanism (TRM) project of the International Centre for Migration Policy Development, an international organization headquartered in Vienna.³⁴⁸⁶ The TRM project provides comprehensive assistance to all foreign victims of trafficking.³⁴⁸⁷

Within the MOI, the police force is the primary mechanism for enforcing criminal laws on forced begging. The police force has adopted the policy of having plain clothes police officers reach out to street children and engage their families to find viable alternatives to forced begging.³⁴⁸⁸ In 2010, the MOI held nine training sessions on the protection of victims—in particular, human trafficking victims—for 201 police officers.³⁴⁸⁹ The MOI also trained 65 labor inspectors on how to improve the capacity of state actors' abilities to protect victims of violent crimes, particularly victims of human trafficking.³⁴⁹⁰

Within the Public Prosecutor's Office, the Organized Crime and Corruption Unit is responsible for prosecuting a variety of issues, including child trafficking, the commercial sexual exploitation of children, and the use of children

in illicit activities. The office has a mandate for 13 prosecutors and, as of this reporting period, all remaining positions within the unit were filled.³⁴⁹¹

Three investigations were opened on child trafficking during the reporting period, one for labor exploitation and two for sexual exploitation. In another case, 12 defendants were charged with sexual attack against a minor under age 14 and procuring minors for sexual acts, which carries similar penalties to trafficking.³⁴⁹² All 5 children found to be victims of child trafficking were removed from the situation, placed in shelters for trafficked children, and given immediate medical and psychological care.³⁴⁹³ In 2010, three people were convicted of child trafficking for sexual exploitation from previously unsettled cases; all other cases are still ongoing.³⁴⁹⁴

Government Policies on the Worst Forms of Child Labor

The Government has adopted a 10-year National Action Plan (2005–2015) for the Rights of Children in Macedonia, which outlines activities for prevention and elimination of the worst forms of child labor. This National Action Plan includes direct assistance, poverty reduction, and intervention activities, as well as provisions for the rehabilitation of children and a stipulation for better access to primary education.³⁴⁹⁵

The National Commission for Children's Rights has published a National Action Plan to Combat Trafficking of Children (NAP) in the Republic of Macedonia (2009–2012). This National Action Plan focuses on preventative measures to protect children from trafficking as well as suggesting policy and legislative solutions to the problem.³⁴⁹⁶

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

In 2010, the Government continued to fund four Centers for Social Day Care. The Ministry of Labor and Social Policy operates these centers, which are responsible for rendering services

to children working in the streets, including street children who beg. These services include providing psychological, medical, and educational assistance.³⁴⁹⁷

In consultations with UNICEF and NGOs, the MOI has sought more holistic solutions to solving the forced, organized, and exploitative begging problems within the Roma minority; however, there are limited programs to address the education or economic roots of the forced begging problem.³⁴⁹⁸

Another Center for Social Day Care was opened in 2010, in Bitola, a city in southern Macedonia with a large Roma population. However, plans to open two new in similar cities were postponed due to a lack of funding and local government issues.³⁴⁹⁹

The Government runs a Reception Center for foreign victims of trafficking. Additional services at the Reception Center are provided by an NGO that receives some funds from the Government.³⁵⁰⁰ While children have separate sleeping quarters from adults, child and adult victims of trafficking are mixed together in the common areas, as there are no facilities dedicated to address the unique needs of children.³⁵⁰¹

Thirty Centers for Social Welfare (CSW) provide reintegration services for domestic victims of trafficking.³⁵⁰² These centers cannot accommodate all victims in a 24-hour period, leaving some victims to find their own accommodations until the Centers for Social Welfare reopen the following day.³⁵⁰³

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Macedonia:

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Provide the inspectors of the Ministry of Labor and Social Policy with a nationally accessible computerized system to record inspections and make data publicly available.

IN THE AREA OF SOCIAL PROGRAMS:

- Expand programs to address the economic and education factors behind forced, organized, and exploitative begging, particularly within the Roma community.
- Increase the capacity of the Reception Center and the Centers for Social Welfare to reach more child victims of trafficking and forced labor, adapting the services of these shelters to the unique needs of child victims, including separate spaces for children.

³⁴⁵⁸ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2000-2011. Data on working children and school attendance are from 2005-2006. Data on children combining working and schooling are from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more

information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

³⁴⁵⁹ U.S. Department of State, "Macedonia," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 08, 2011, section 7c; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154437.htm>. See also U.S. Embassy- Skopje, *reporting, February 14, 2011*.

³⁴⁶⁰ Government of Macedonia, *Constitution of the Republic of Macedonia of 1991*, (September 8, 1991); available from <http://www.sobranie.mk/en/default.asp?ItemID=9F7452BF44EE814B8DB897C1858B71FF>.

- ³⁴⁶¹ Government of Macedonia, *Labor Relations Act*, (December 27, 1993); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47727/65084/E93MKD02.htm>.
- ³⁴⁶² Government of Macedonia, *Constitution of Macedonia*. See also Government of Macedonia, *Labor Relations Act*.
- ³⁴⁶³ CIA, *The World Factbook: Macedonia*, [online] April 6, 2011 [cited April 11, 2011]; available from <https://www.cia.gov/library/publications/the-world-factbook/geos/mk.html>.
- ³⁴⁶⁴ Government of Macedonia, *Criminal Code of the Republic of Macedonia of 1996*, (July 23, 1996); available from <http://www.mlrc.org.mk/law/CriminalCode.htm>.
- ³⁴⁶⁵ Terre des Hommes, *Report on the Implementation of UNICEF Guidelines for the Protection of the Rights of Child Victims of Trafficking*, February 22, 2010; available from http://crin.org/docs/tdh_south_eastern_europe.pdf.
- ³⁴⁶⁶ U.S. Embassy- Skopje, *reporting, April 21, 2011*.
- ³⁴⁶⁷ Government of Macedonia, *Criminal Code*.
- ³⁴⁶⁸ Ibid.
- ³⁴⁶⁹ UNESCO, *Education for All Global Monitoring Report*, 2010; available from <http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/gmr2010/gmr2010-annex-04-stat-tables.pdf>.
- ³⁴⁷⁰ Terre des Hommes, *UNICEF Guidelines-Macedonia*.
- ³⁴⁷¹ Ibid.
- ³⁴⁷² U.S. Embassy- Skopje, *reporting, April 21, 2011*.
- ³⁴⁷³ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
- ³⁴⁷⁴ ILO Labour Administration and Inspection Programme, *Information Resources: Macedonia*, July 2009; available from http://www.ilo.org/labadmin/info/lang--en/WCMS_114938/index.htm.
- ³⁴⁷⁵ U.S. Embassy- Skopje, *reporting, February 14, 2011*.
- ³⁴⁷⁶ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
- ³⁴⁷⁷ ILO Labour Administration and Inspection Programme, *Information Resources: Macedonia*.
- ³⁴⁷⁸ Ibid.
- ³⁴⁷⁹ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
- ³⁴⁸⁰ U.S. Embassy- Skopje, *reporting, April 21, 2011*.
- ³⁴⁸¹ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
- ³⁴⁸² Ibid.
- ³⁴⁸³ Terre des Hommes, *UNICEF Guidelines-Macedonia*.
- ³⁴⁸⁴ Ibid.
- ³⁴⁸⁵ Ibid.
- ³⁴⁸⁶ Ibid.
- ³⁴⁸⁷ International Centre for Migration Policy and Development, *Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons in Europe: TRM-EU*, 2010; available from http://www.anti-trafficking.net/fileadmin/IIMS-documents/ICMPD/TRM/TRM_guidelines_2010-02-15_for_web.pdf.
- ³⁴⁸⁸ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
- ³⁴⁸⁹ U.S. Embassy- Skopje, *reporting, February 14, 2011*.
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- ³⁴⁹¹ U.S. Embassy- Skopje, *reporting, February 16, 2011*.
- ³⁴⁹² U.S. Embassy- Skopje, *reporting, February 14, 2011*.
- ³⁴⁹³ Ibid.
- ³⁴⁹⁴ Ibid.
- ³⁴⁹⁵ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
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- ³⁴⁹⁷ U.S. Department of State, "Country Reports- 2010: Macedonia," section 6.
- ³⁴⁹⁸ U.S. Embassy- Skopje, *reporting, March 1, 2010*.
- ³⁴⁹⁹ U.S. Embassy- Skopje, *reporting, February 14, 2011*.
- ³⁵⁰⁰ Terre des Hommes, *UNICEF Guidelines-Macedonia*.
- ³⁵⁰¹ Ibid. See also U.S. Embassy- Skopje official, *e-mail communication, June 24, 2011*.
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