



ROMA
INTEGRATION

Regional Cooperation Council

ANALYSIS OF
MAINSTREAM
POLICIES TARGETING
ROMA INTEGRATION
IN THE REPUBLIC OF
NORTH MACEDONIA



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ANALYSIS OF MAINSTREAM POLICIES TARGETING ROMA INTEGRATION IN THE REPUBLIC OF NORTH MACEDONIA

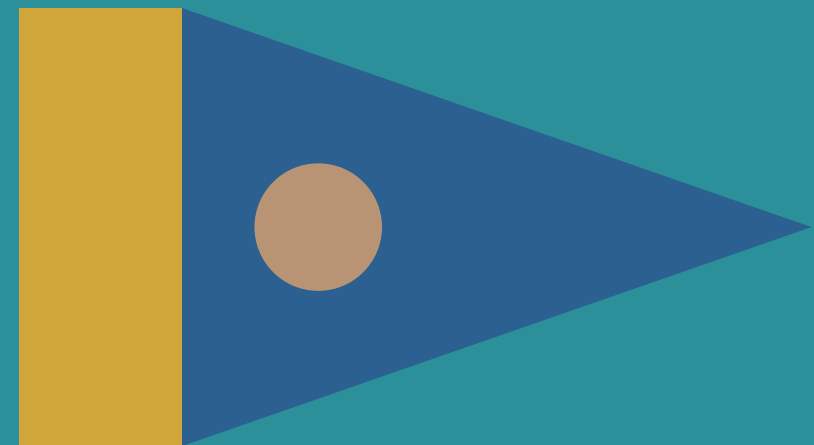
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Table of Contents

Introduction	5
MAINSTREAMING EDUCATION	8
Key mainstream documents and measures	13
Recommendations	20
MAINSTREAMING HOUSING	21
Key mainstream documents and measures	25
Recommendations	29
MAINSTREAMING EMPLOYMENT	31
Key mainstream documents and measures	34
Recommendations	39
MAINSTREAMING HEALTH	42
Key mainstream documents and the identification of measures	46
Recommendations	51
Bibliography	53

INTRODUCTION





The Republic of North Macedonia is experiencing a deep social, economic and political transformation, at the core of which is the membership to joining NATO and starting negotiations with the European Union (EU). The regional cooperation between the economies of the Western Balkans at the same time poses new challenges and presents new opportunities for the creation of a regional economic area, which should ensure a smoother transition for the region into the EU. While the new opportunities for free trade agreements and the mobility of the labour force are expected to yield positive benefits most of the economies, including the Republic of North Macedonia, are faced with internal issues such as selective rule of law, corruption and a lack of good governance.¹

Regarding Roma integration, the latest EU progress report for Republic of North Macedonia notes that the “implementation of the Roma Strategy and action plans is slow and much remains to be done for Roma inclusion in the Republic of North Macedonia.”² Moreover, the conclusions of the second National Platform on Roma Integration, jointly organized by the Regional Cooperation Council Roma Integration 2020 Action Team and the Cabinet of the Minister without Portfolio responsible for the implementation of the Strategy for Roma 2014–2020 also highlight the lack of monitoring and the need to improve significantly reporting on and preparation of the Report on the Implementation of Roma Integration Policies. They indicate a **need for greater responsibility and commitment on the part of the relevant ministries for implementation, the allocation of more funds from the state budget for implementation of the action plans, and the targeting of Roma issues in the existing (mainstream) policies.** However, political processes such as the referendum on the name of the Republic, the presidential elections, NATO membership and EU accession as well as the new parliamentary elections scheduled for April 2020 set aside implementation of the Roma Strategy.

Nonetheless, the Berlin process and the adoption of the **Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process (Poznan Declaration)** represent new momentum for the economies of the Western Balkans aimed at linking the enlargement process with Roma integration. As such, **Roma integration is back on the agenda** and the economies of the Western Balkans have reaffirmed their commitment to achieving the specific targets on employment, health, housing, education as well as civil registration and non-discrimination. The EU will monitor the implementation of the Poznan Declaration closely and it will be an integral part of the accession process for those economies requesting to join the EU. As part of this process, specific roadmaps³ on employment and housing were designed for all of the economies and included indicators of achievement that should be reached up until the Western Balkans region integrates into the EU.

¹ European Policy Institute, The Western Balkans' Bumpy quest for EU integration, p. 23, 2016. Available from <http://bit.ly/2YVN0PW>

² European Commission, 2019, EU Progress Report for North Macedonia, retrieved from <http://bit.ly/38TyOf6>

³ Regional Cooperation Council, I2019, Roma Integration 2020, Roadmaps 2019-2021. Available from <http://bit.ly/38RQK9S>

The previous experience of the slow implementation of the Roma strategies in the Western Balkans underlines the need for a different approach to such an ambitious objective.

The current targeted approach to Roma integration policies contributes to the existing narrative on Roma as beneficiaries of different projects through which funding has been invested but with no real improvements on the ground. This creates a false impression that reinforces stereotypes and generates hostility toward Roma in some of the economies. The efforts to mainstream Roma integration policies into existing strategies also demonstrates that such measures do not reach the Roma communities, because the criteria for participation in these measures are not adapted to the needs of Roma.

In this regard, the EU Commission proposes a combination of targeted and mainstream policies with explicit but non-exclusive targeting as the best approach to achieve higher acceptance and achievement of the targets. Furthermore, the Council Recommendation on effective Roma integration measures in the EU Member States stresses, “that the goals could be achieved either by means of mainstream measures or by means of targeted measures, including specific measures to prevent or compensate for disadvantages, or by a combination of both, paying special attention to the gender dimension [...] or by focusing on geographical areas that are marginalized and/or segregated.”⁴ **Such an approach requires the participation of Roma in the design and monitoring of the programmes and their adaptability to the needs of the community.**

This report puts forward the main policy challenges affecting Roma in the Republic of North Macedonia in the area of education, housing, employment and health. Each of the sections below analyses the main policy frameworks and regulations in the sector/area with specific focus on recent and potential policy changes at the level and opportunities for mainstreaming Roma policies into mainstream policy. Each section concludes with a set of policy recommendations that policy makers should consider when attempting to mainstream issues pertaining to Roma.

The methodology used in the preparation of this analysis is based on a desk review of existing documents such as the Programme of the Government for 2017–2020, the strategic plans and existing strategies developed in the four priority areas by the relevant ministries and the new reforms that were recently introduced on social protection, labour policy and education. Primary data was also collected through interviews conducted with representatives of the ministries.⁵

⁴ Foundation Secretario Gitano, 2017, How to mainstream Roma inclusion in general programmes, projects and intervention. Available from <http://bit.ly/2PWbsN6>

⁵ Although we requested a meeting with all of the relevant ministries (Ministry of Health, Ministry of Economy, Ministry of Transport and Communication, Ministry of Education and Science and the Ministry of Labour and Social affairs) only two ministries (Education and Science and Labour and Social affairs) held meetings with the research team.



MAINSTREAMING EDUCATION



The education sector in the Republic of North Macedonia requires strong and strategic reform in order to improve quality and equity and ensure that all young people in the economy reach their full potential and realise their aspirations. Yet despite some improvements in the last few years, young citizens continue to leave education early and have among the lowest learning outcomes in the Western Balkans and in Europe.⁶ At the beginning of its mandate in 2017, the Government of the Republic of North Macedonia announced a number of major changes that needed to be introduced in order to achieve substantial improvement in the education system. This included a reduction of the number of classes in primary school, abandonment of the Cambridge curriculum, a revision of existing and adoption of new textbooks, changes to existing and adoption of new laws that will improve the situation in the existing poor education system.

The Government adopted the new Education Strategy 2018–2025 in 2018 as the key document for improving the quality and conditions in education.

According to the Organisation for Economic Cooperation and Development (OECD) Competitiveness Outlook 2018 assessment of the dimension of education, Republic of North Macedonia achieves a score of 2.5 together with other Western Balkan economies. This means that there is a solid strategic framework but that it is not always followed by implementation or it is subject to the process of monitoring of public policies in order to provide feedback on possible corrections. According to the International Student Assessment Programme (PISA)⁷ conducted by the OECD, two-thirds of Macedonian pupils show poor results at the age of 15 by not achieving a level of functional literacy in science, mathematics, reading, cooperation on solving problems and financial literacy compared to their peers in 72 economies.

Therefore, investment in primary and secondary education is of critical importance. Unfortunately, in the past few years progress has been very slow. However, one of the major changes in 2019 was the adoption of the new Law on Primary Education. The Law provides for the full inclusion of all pupils with special needs into regular schools and the transformation of so-called special schools and special classes. This reform will improve the inclusion process for all pupils with special needs and disabilities, while the envisaged new reform of education should increase general knowledge and respect the quality and motivation of teachers. **Yet according to the OECD, major differences in education outcomes persist across different ethnic groups.**⁸

It was for these reasons that several processes aimed at increasing the quality of primary education were instigated: The preparation of a new **Law on Primary Education and a revision of the curricula for the first three grades as well as preparation of the standards for achievement for each cycle of primary education, based on learning**

⁶ OECD, *OECD Reviews of Evaluation and Assessment in Education: North Macedonia*, OECD Reviews of Evaluation and Assessment in Education, OECD Publishing, Paris, 2019. Available from <http://bit.ly/34B9nvs>

⁷ Ibid.

⁸ Ibid.



outcomes and competencies defined by the European Commission. In order to provide support for teacher training, the Bureau for Development of Education established the Learning Management System to support training for teachers and their professional development. In addition, the Draft Annual Programme for Professional Development and Advancement of Teachers and Professional Associates in Primary and Secondary Schools was prepared.

In order to overcome the great discrepancy between the skills acquired in the education process and the needs of employers some of the already started activities will continue to be implemented alongside the planned new activities. **The Ministry of Education and Science will continue with implementation of the programme of grants in support of joint projects between vocational schools and companies. The aim of the programme is to improve the level of practical training for pupils and their skills for employment, which will increase the employability of pupils in secondary vocational education.** Piloting the curricula for dual vocational education will help companies acquire professional staff, having in mind that pupils will be preparing for work in a particular company during their secondary education.⁹

The main goal of the reform of formal and non-formal education is to increase the employability of young people, especially women and vulnerable groups (Roma and young people with special needs). In the following decade, there will be greater focus on cooperation between the education system (including non-formal education) and the business community. The idea is to build a sustainable system aimed primarily at companies in order to identify what skills workers will need and how to ensure the development of such skills through a system of either formal or non-formal education. The project will focus on several clusters: IT, personal services, agriculture, the food industry, catering and tourism. The focus of all these activities will be on work-based learning through the realisation of high quality practical training intended to create better preparedness and increased employment opportunities.

Education is one of the areas where the Roma Decade 2005-2015 and the Strategy for Roma have made significant progress. The progress achieved in higher education for Roma can be attributed to scholarships provided by the Roma Education Fund), while the progress in secondary education is linked to scholarships for Roma secondary school pupils offered by the Ministry of Education and Science. The amendments to the Law on Secondary Education also introduced compulsory secondary education, which has had a positive effect by increasing the number of children in secondary education. **Yet Roma in primary education still face social stigma, discrimination and segregation and there is no special measure to prevent such cases in the future.** Segregation is based on language, culture and natality in certain localities, while the quality of education in these schools is typically poorer with limited resources and less qualified teaching staff. The economy has not achieved a systematic solution for ensuring that schools and teachers put sufficient effort into helping children master the language of instruction.

⁹ Ministry of Finance, Economic Reform Programme 2019–2021, Structural reforms, 2019.

There are also schools known by the public as 'Roma schools' and many non-Roma parents refuse to enrol their children in these schools.¹⁰

Preschool enrolment of Roma children is still very low. A survey of selected Roma settlements found that only 14 per cent of Roma children aged three to six were in preschool education compared to 29 per cent of the non-Roma population living in close vicinity to them.¹¹ There is also low attendance and early school-leaving among Roma pupils. There are a number of reasons for this: emigration of Roma families to economies in Western Europe, a lack of personal documentation, segregation even at the earliest stages of education and a lack of organised or public transport to the kindergarten from Roma settlements (which are most often located far from education institutions). Of all the ethnic groups, illiteracy levels are highest among Roma. Yet, there have been some signs of improvement in terms of enrolment and completion among Roma pupils in primary and secondary school.

Although **the reform of education included the revision of all textbooks in primary education, there is still discriminatory content that affects Roma.** The last case involving such content was brought in front of the Ministry of Education and Science in November 2019. Although a revision was conducted, in some parts **Roma are still not included in the curricula. This means that other children do not learn about the history and identity of Roma.**

Current situation and key priorities

I. Access to education

* Returnees

Primary education in the Republic of North Macedonia is compulsory and represents a constitutionally guaranteed right under Article 44 of the Constitution, which stipulates that education is accessible to everyone under equal conditions, is compulsory and free.¹² **To date, there has been no assessment or official data on how many families with children have returned to the economy after failing to secure asylum.** Similarly, there is no data on how many children have subsequently reintegrated into mainstream education. Common practice implies that they are listed in school registers as pupils who have migrated abroad without further insight into their status. Very often, this status is not changed or reversed once their family returns. Neither the municipalities nor the schools keep updated lists that include these children despite the fact that they have been repatriated and have residence within a school catchment area. **Procedures for their reintegration**

¹⁰ Dzenifer Dzeladin and Kristina Doda, 2016, *Segregation of Roma children in elementary schools in Republic of Macedonia*, Institute for Human Rights and the European Roma Rights Centre.

¹¹ UNDP and the World Bank, 2018, *Roma at a Glance – The Former Yugoslav Republic of Macedonia*.

¹² Constitution of the Republic of Macedonia, Official Gazette of the Republic of Macedonia, No. 52/1991.



into mainstream education are not initiated in such cases.¹³ Another issue that arises with regard to repatriated children is that while their asylum application is being processed in the destination economy these children attend a particular form of education and in many cases (because of the fast track asylum procedure) they are forcibly returned and cannot prove the extent of their education abroad once back in their home economy because they have not been issued with a certificate. In this situation children cannot continue with their studies at the stage where they left off in the destination economy. Instead they have to enrol at the educational stage prior to their departure abroad, without due consideration of the fact that these children are now older and have acquired additional knowledge at schools in their economy of temporarily residence. The fact that these children have to attend school with pupils of lower age and are exposed to curricula that they have to a certain extent already studied and mastered whilst abroad has a demotivating effect on them. It creates resistance among children to return to school and can result in early school-leaving.¹⁴

✿ Street children

State institutions should enact systematic rather than reactive measures when addressing the issue of street children. The Ombudsman's Office reported that there are around 337 child beggars recorded on the streets of which 328 are Roma of all age groups, including babies.¹⁵

2. Quality of education

International Student Assessment Programme (PISA) results show that the education system is in the dark and fails to see what is actually necessary in order to provide adequate support for pupils from low socioeconomic backgrounds and from rural areas.¹⁶ The results show that 70 per cent of these pupils scored the lowest grade (1) in reading and mathematics. Pupils enrolled in vocational education scored 44 points less compared to those enrolled in gymnasium education. Children that enrolled in preschool education for one year scored 50 points more than those who were not enrolled in preschool. Pupils in urban areas performed much better compared to those from rural areas, while the performance of pupils who belong to the top income group was equivalent to slightly more than two school years ahead of pupils belonging to the bottom income group. The reasons for the catastrophic literacy rate among Macedonian children can be traced to the continuity of the bad educational system.

¹³ Zaklina Durmis, Aleksandar Mitrovski, 2016, *Roma children repatriates and their constitutionally guaranteed right to education: Ignore or address the problem of their reintegration into mainstream education*, Foundation Open Society - Macedonia.

¹⁴ Ibid.

¹⁵ European Commission, 2019, *Progress Report on Macedonia for 2018*.

¹⁶ OECD Reviews of Evaluation and Assessment in Education: North Macedonia, OECD Reviews of Evaluation and Assessment in Education, OECD Publishing, Paris, 2019.

✿ Early school-leaving

Primary and secondary school

The percentage of Roma pupils who successfully completed primary education in 2017 was 93 per cent, while in 2018 it was 94 per cent. The percentage of Roma pupils who successfully completed secondary education in 2017 and 2018 was 96 per cent respectively. The reasons for early school-leaving among Roma children are the low quality of education, discrimination, migration and the poor economic situation of their parents.¹⁷

Mother language education

It is even more difficult for those Roma children whose mother language is not Macedonian to follow classes and integrate at school. Despite the fact that **the Law on Primary Education guarantees that the Roma language and culture be taught as an optional subject, this regulation is widely ignored in practice and often this option is not available for Roma pupils.** Pupils whose mother language is the Romani language have difficulty in schools where the language of instruction is different.¹⁸ There is also a lack of qualified Roma teaching staff in primary and secondary schools, whilst those Roma teachers who are qualified and have a university education cannot find employment in primary and secondary schools.

Key mainstream documents and measures

Pillar I. Preschool education

Targeted measure: Free kindergarten for Roma children recipients of the minimum guaranteed assistance

The Ministry of Labour and Social Policy in cooperation with the Roma Education Fund has been implementing the project Inclusion of Roma Children in public kindergartens for the last eleven years. During the school year 2017/2018, an average of 514 children were included (of which 260 were girls) within the project in 19 municipalities. After 11 years of implementation of this project, the Ministry tried to solve the issue of participation of Roma children in preschool education in a systematic way. On 28 December 2019, **the Government adopted a Decision recommending that municipalities should consider the possibility to exempt 450 Roma children aged three to six years from financial participation in kindergartens for the period from 1 December 2018 to 31 December 2019.**¹⁹

¹⁷ Institute for Research and Policy Analyses – Romalítico, Shadow Report on Implementation of the Roma Strategy in the Republic of Macedonia for 2017 and 2018.

¹⁸ Ministry of Education and Science, Education strategy and action plan 2018-2025, 2018.

¹⁹ Government of the Republic of North Macedonia, 113th session, 2018.



The future intention of the Ministry of Labour and Social Policy is not only to include Roma children without participation in preschool but also other families who will be beneficiaries of the minimum guaranteed assistance.

Pillar 2. Primary education

Mainstream measure: The new Law on Primary Education

Under paragraph 3 of Article 12 of the new Law²⁰ on Primary Education it stipulates **with regard to children of the Republic of North Macedonian citizens who resided abroad but have since returned to the Republic of North Macedonia and wish to start or continue their primary education, “primary schools are obliged to provide them help to learn their mother language and the language of instruction.”** The Law further stipulates under paragraph 4 that in order to achieve their successful inclusion into the education process, “primary schools are obliged to organize individual and group additional classes for these children to learn the mother language and the language of instruction and catch up on the knowledge in certain subjects.” Paragraph 7 restricts this support to a maximum of one year.

Impact on Roma

Although the Law provides for such support and opportunities it appears that these provisions do not apply in practice. The existing research did not find any evidence that this type of teaching was organised in any of the primary schools in the five cities where the research was conducted and it argues that schools do not have the spatial capacity or adequate human resources for this purpose.²¹ Research work and discussions with representatives from the Ministry of Education and Science conducted by Romalítico revealed that in practice there is no monitoring mechanism or official data on how many children of Roma returnees are in the economy. If parents do not enrol their children then they will not be able to continue their education. Despite the fact that the Law provides for this opportunity practice has shown that there is no systematic approach to this issue.

Mainstream measure: Verification of diplomas

Article 154 (recognition costs) of the Law on Education stipulates that users of the guaranteed minimum assistance are exempted from recognition costs for verification of diplomas.

Impact on Roma

Under the new Law, beneficiaries of the guaranteed minimum assistance are exempt from recognition costs. This removes a significant obstacle for Roma returnees because recognition and verification of completed education abroad costs from 40 to 60 euros per certificate/diploma depending on the level of education. This financial burden prevents Roma parents from sending their children to school. However, although the Law provides for exemption from these costs this only applies if you are a beneficiary of the guaranteed minimum assistance.

²⁰ Law on Primary Education, Edict President of the Republic of North Macedonia 08 – 4389/1, 2019.

²¹ European Policy Institute, *The challenges faced by Roma returnees in Macedonia, 2018*.

The new Law on Education is connected to the Law on Social Protection, which stipulates that persons deleted from the record of unemployed persons because of irregular reporting (every month) are not eligible for guaranteed minimum assistance. Ineligible persons can only be re-entered into the unemployment record after a period of one year. This means that Roma who spend more than one month abroad are deleted from the record. Upon their return, they will have to wait for one year before they become eligible for the guaranteed minimum assistance and therefore able to benefit from the opportunity to be exempted from paying recognition costs. This means that their children will lose one year of schooling, which increases the likelihood that they will suffer exclusion once they are able to enrol and be more susceptible to early school-leaving.

Mainstream measure: Tutoring classes

Under **Article 36 of the Law on Education, the Ministry of Education and Science allows for additional support (tutoring)** for primary school pupils on subjects that are part of the syllabus. Tutoring classes are organised for pupils from the sixth to ninth grade.

Impact on Roma

Considering the fact that Roma children had the possibility to attend tutoring classes financially covered by a project in previous years, the Ministry of Education and Science introduced tutoring for children with poor results in certain subjects as well as for talented children in order to give them the opportunity to increase their knowledge.

Mainstream measure: Completion of primary education

Article 14 of the new Law on Education stipulates that those children who were not included in education and are over the age limit for inclusion in primary school are entitled to primary education under the same conditions as other children. **The Bureau for Development of Education prepares an education programme that will enable these children to be included in an appropriate grade of primary education.**

Impact on Roma

These changes will allow Roma street children to be included in education. Because the new Law on Education was only adopted on 30 July 2019, the Ministry should in the next six months adopt laws to regulate these measures. During a meeting held at the Ministry of Education and Science, the State Counsellor stated that the Bureau for Development of Education should develop plans for the inclusion of these children at the local level.

Mainstream measure: Special education

As from September 2019, children with mild disabilities can enrol in regular school. While these children will be educated in regular school, children with more severe disabilities will continue their education through special education programmes and schools. According to the Law on Primary Education, this solution envisions the transformation of special primary schools



into resource centres. They will retain the educational component for children with complex needs but will include an additional activity. The staff will provide advisory, consultative, professional and practical support to teachers and children in mainstream schools where children with disabilities are enrolled. The goal is to achieve full inclusion of children with disabilities in regular schools. The new Law envisions that special schools will admit children with special needs up until the 2021/2022 school year. As from 2022/2023 school year, they will be transformed into resource centres to help ensure the full inclusion of these children into mainstream schools.

Impact on Roma

Considering that a large number of Roma children attend classes in schools for special educational needs where institutions often do not categorize, children with no special needs should be transferred to regular schools. Roma children will benefit most from these changes. The problem with the disproportionate number of Roma children in special schools is noted in various reports, including the progress report prepared from the European Commission. According to the European Commission Against Racism and Intolerance (ECRI) report, 37 per cent of the pupils in special schools are Roma.²² The number of Roma placed in special schools in the school year 2015/2016 was 163, while in 2016/2017 it was 185.²³ Yet although these numbers are lower than those for 2008/98 at 444 and 2009/10 at 431 this phenomenon continues to exist both in primary and secondary education.

Mainstream measure: Prevention of segregation

The latest legal changes to the **Law on Prevention of and Protection from Discrimination categorises segregation as a form of discrimination**²⁴. According to Article 12, segregation means any physical separation of a person or group of persons on any discriminatory grounds without a legitimate or objectively justified purpose. With these changes, NGOs and individuals can now submit a lawsuit on segregation against schools. Under the previous Law, there were no legal grounds for submitting this type of lawsuit in order to fight against segregation through legal mechanisms.

Impact on Roma

The European Commission progress report indicated that segregation in school is still a problem. According to the previous Law on Primary Education, a primary school shall accept and enrol pupils from its district. However, primary schools can also accept and enrol pupils from other districts if there are free places for enrolment. This process is called reonization and municipalities in the economy have adopted decisions for reonization. The new Law on Primary Education makes it more difficult for parents to place their children in schools outside of their district, because if they want to enrol their children they will have to gain approval from both schools:

²² European Commission Against Racism and Intolerance (ECRI), ECRI Report on the Former Yugoslav Republic of Macedonia (fifth Monitoring Cycle): Adopted on 18 March 2016, 7 June 2016.

²³ Ombudsman Report on Roma Inclusion after the Decade of Roma – Education part, 2018.

²⁴ Law on prevention of and protection from discrimination, Official Gazette of the Republic of Macedonia, No. 101, 2019.

the one where they belong according to the district and the other one where they want to enrol their child.

However, in some municipalities this decision is not implemented properly. According to a report by an ombudsman, the reasons why the phenomenon of segregation remains a problem is that non-Roma parents are hesitant to allow their children to study with Roma children and this sometimes results in the unbalanced separation of Roma pupils in different classes.²⁵ Another report states that, “Segregation is penetrated in many areas and especially in education” and that “its effects come from various non-formal practices of ethnic separation.”²⁶

Targeted measure: Education mediators

The Ministry can engage education mediators to assist those Roma children who come from socially disadvantaged families and/or were outside the educational system for an extended period. The education mediator helps increase awareness about opportunities to access school and collaborates with school staff, parents and pupils. Considering that different projects address this issue, **education mediators have been systematised in the Law on Primary Education through this this measure.**

Targeted measure: Scholarships for Roma pupils of the first grade

As part of the project Regularly Attending Classes: Action for Inclusion of Roma in Primary Education, the Foundation Open Society - Macedonia together with its partners the association for educational support ‘Dendo Vas’ and the foundation for educational and cultural initiatives ‘Step by Step’ opened a scholarship competition for 315 Roma enrolled in the first grade of primary school in the school year 2019/2020. The purpose of these scholarships is to reduce the financial burden associated with educating their children for the most vulnerable Roma families in order to ensure greater Roma inclusion in primary education, regular school attendance and successful transition to the next grades. The European Union finances the scholarship competition.

According to the call, only those pupils whose families are recipients of social welfare or recipients of the guaranteed minimum welfare are eligible. These criteria are limited for other vulnerable groups such as returnees. As stated at the beginning of this analysis in reference to the verification of certificates, Roma families that have returned to the economy after an absence of more than one month are banned from the employment agency for one year. This means that for this period they are ineligible to apply for social welfare or the guaranteed minimum welfare. In this case, children from these families are also ineligible to apply for scholarships.

²⁵ Ombudsman of the Republic of Macedonia, 2015, *Information on the situation of Roma in first grade and their class allocation among pupils from other ethnicity in the 2014/2015 school year.*

²⁶ Dzenifer Dzeladin and Kristina Doda, 2016, *Segregation of Roma children in elementary schools in the Republic of Macedonia*, Institute for Human Rights and the European Roma Rights Centre.



Pillar 3. Secondary education

Mainstream measure: Law on secondary education

The **Law on Secondary Education**²⁷ envisages that the Ministry of Education and Science can provide for pupils in secondary education additional classes on subjects that are part of the curriculum in the school year in which a pupil is enrolled when he/she scored less than excellent (5) in the previous year for such subjects. Tutoring classes are organised by students in higher education.

Impact on Roma

Similarly, as in primary education, Roma pupils can also benefit from this measure. The difference is that through this measure pupils can only receive support if in the previous year they scored less than excellent (5). In general, Roma pupils in secondary education need tutoring in subjects for which they experience difficulty during the current school year. The advantage of this measure is that the quality of education for Roma pupils will increase through the support of tutoring.

Targeted measure: Scholarships for Roma pupils

Each year the Ministry of Education and Science provides scholarships for Roma pupils in secondary education. In 2018, the Ministry provided 736 scholarships in secondary education and 90 scholarships for university students. The initiative has the objective to improve the mobility and success of Roma students in all years of education. There are different types of categories of scholarship ranging from talented pupils to pupils in special education and motivational scholarship for pupils that demonstrate poor results in school. Scholarships are financed under the Law on Student Standards. Scholarship for tertiary education can be awarded to all Roma students, but priority is given to those studying at the faculties of pedagogy. Regardless of this targeted measure, Roma students are also eligible to apply for mainstream calls for scholarships.

Targeted measure: Enrolment of Roma pupils with 10 per cent less than the required score for entry into public secondary schools

A policy that should be revised is the affirmative action for enrolment in secondary education. Each year the open call for enrolment of secondary school pupils determinates that Roma that have 10 per cent fewer points than those required can be accepted into public secondary schools. However, unless a pupil refers to it directly, sometimes secondary schools do not consider this measure. Therefore, the proposal is that this policy be transformed into a compulsory measure and that the specified 10 per cent be directly included in the pupil's total points.

Another affirmative action relates to the quota for university enrolment. This is a general policy aimed at all minority communities in the economy; however, the impression is that

²⁷ Law on secondary education, consolidated text, Official Gazette of the Republic of Macedonia, nos. 44/1995, 24/1996, 34/1996, 35/1997, 82/1999, 29/2002, 40/2003, 42/2003, 67/2004, 55/2005, 113/2005, 35/2006, 30/2007, 49/2007, 81/2008, 92/2008, 33/2010, 116/2010, 156/2010, 18/2011, 42/2011, 51/2011, 6/2012, 100/2012, 24/2013, 41/2014, 116/2014, 135/2014, 10/2015, 98/2015, 145/2015, 30/2016, 127/2016, 67/2017 and 64/108.

this measure does not functioning properly. There is no official information on the number of students that use this affirmative action and its implementation is not defined precisely.

Mainstream measure: Dual vocational education

In 2017, the Ministry of Education and Science officially launched the **Dual Vocational Education pilot project in the Republic of North Macedonia**. This is a three-year pilot project on dual vocational education supported by German expertise. It is a relatively new concept based on the principle of learning based on work. The curricula for the first year of the subject of dual vocational secondary education were adopted in June and cover the following schools and companies: Naum Ohridski in Ohrid and Kiro Spandzov Brko in Kavadarci in collaboration with the private sector companies Kostal, ODW-Elektrik, LTC Foundry in Ohrid and Drexlmayer in Kavadarci.

The project will help companies by providing them with professional staff. Pupils will be prepared for a specific company during their secondary education, which is a typical example of public-private partnership. Dual education is oriented at the labour market and seen as an investment in the future and the economy. **The Government of the Republic of North Macedonia supports the concept of dual vocational education and will provide conditions for the easier implementation of the project and allocate certain funds in support of companies.** The Government will strive to implement the system of dual education within vocational secondary education. The companies will provide scholarships for secondary school pupils and will be required to hire them immediately after their graduation.

Impact on Roma

Considering that in secondary education there is a higher number of Roma in vocational schools, their inclusion in this programme will make them more competitive in the labour market and provide them with a job immediately after graduation. Yet it is noteworthy that so far projects have been run in schools and cities where there are either no or a very low number of Roma pupils. However, this type of project is needed as part of the education and can have a positive impact on all pupils in secondary education, including Roma.

Recommendations

- ✳ Ensure implementation of Article 14 of the Law on Education for children that are not included in the education system. In order for those children out of school to be included in the education process programmes for their inclusion should be prepared. To date, the Bureau for Development of Education has yet to prepare such a programme; therefore, municipalities should initiate a request to the Bureau for the preparation of such programmes.
- ✳ Ensure implementation of articles 11 and 12 of the Law on Inclusion of Children in School as well as extra catch up classes for repatriate children. The previous Law also envisaged catch up classes yet such classes were not organised in practice.



- ✿ Ensure full implementation of the right of schoolchildren to learn their mother language (Romani language) as an optional subject as stipulated in the Law on Primary Education.
- ✿ Implement a revision of the course material and curricula in primary and secondary schools in order to ensure that textbooks do not contain any discriminatory or negative content. If such content is discovered then the Ministry should produce new material that promotes equal treatment. Practice shows that such content in textbooks is usually found by parents and not by those mandated to review textbooks prior to their use in schools. It is noteworthy that in two such cases the Ministry recommended that those sections of the textbooks that contained such content should not to be used as opposed to ordering the removal of the textbooks. In order to prevent such content, the Ministry should engage Roma employed within the civil service or NGOs to take part in the revision of textbooks or alternatively ensure rigorous criteria for publishing houses and the authors of textbooks.
- ✿ Schools and other institutions should establish a mechanism for keeping records on how many Roma children leave school because of migration and obtain information from official institutions on their return to the economy. This type of information would help schools to include these children in school immediately rather than wait until the parents voluntarily report and enrol their children in school. This mechanism would also help institutions and others ascertain the real situation and the causes of early school-leaving, whether this is a result of migration, children being allowed to remain out of school or because of poor results in school.
- ✿ Develop mechanisms to assess the knowledge level of repatriate children in order to enable their enrolment at a level that corresponds to their level of knowledge and age.
- ✿ Considering that secondary education is mandatory and the increased level of competition in terms of education for entering the labour market, the Government should provide opportunities for persons over the age of sixteen to complete their primary and secondary education free of charge in order to increase their ability to compete in the labour market.

MAINSTREAMING HOUSING





One of the fundamental human rights guaranteed in numerous international conventions, laws and declarations is the right to adequate housing.²⁸ According to the Universal Declaration of Human Rights, which is one of the most important declarations ratified by many economies, including the Republic of North Macedonia, it states, “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care.”²⁹

The key housing legislation in North Macedonia includes the Law on Housing³⁰ which regulates the types of housing facilities, the management of residential buildings, the relationship between owners of individual parts and third parties, the owners’ associations, housing records, tenancy agreements, the manner of housing, management and maintenance of facilities and the rights and obligations of the Republic of North Macedonia and municipalities in respect to inspection and administrative oversight as well as other housing issues.

This Law is particularly important to citizens because it regulates precisely the way residential buildings should be managed and establishes the rights and obligations of owners of individual parts, the relationship between the owners in an apartment building as well as the owners and third parties, establishes the rights and obligations of the community of owners, establishes the rights and obligations of licensed building managers and provides for sanctions for non-compliance with the legal provisions. Housing issues at the local level come under the competency of many institutions, which makes the question of housing highly complex. According to the competencies and responsibilities of the local self-government units, the council and the mayor are the main organs of the municipality. Local self-government is directly responsible for the local economic and urban development of the municipality.

The World Bank and the Open Society Foundations identified housing as one of the most vulnerable areas of concerns for Roma in many economies and made it one of the four areas of the Decade of Roma Inclusion 2005–2015.³¹ The Republic of North Macedonia, as a signatory of the Decade of Roma Inclusion, was committed to improve the situation and the status of Roma. In addition to the Decade, the Republic of North Macedonia implements the Strategy for Roma.³² The latter incorporates the legalisation of Roma neighbourhoods and illegal dwellings as an important priority. The Strategy contains measures focused on reducing homelessness and minimalizing forced eviction, while necessary evictions are to be offset by a solution for or choice of alternative accommodation. The Government of Republic of North Macedonia has adopted the Strategy for Roma 2016–2020 together with the action plans in the four areas.³³

28 United Nations, 1948, *The Universal Declaration of Human Rights*. Available from <https://bit.ly/1NHJkaan>.

29 Ibid., Article 25.

30 Law on Housing, Official Gazette of the Republic of Macedonia, consolidated text, No. 99/2009. Available from <http://bit.ly/2KqTbFT>.

31 Declaration of the Decade of Roma Inclusion 2005–2015, 2005. Available from <http://bit.ly/2W0xojN>.

32 Ministry for Labour and Social Policy, *Strategy for Roma, 2005*. Available from <http://bit.ly/2pAQnOO>.

33 Ibid.

According to the National Action Plan³⁴ for Housing, the main outcomes that need to be met are the following:

- › provision of social housing for Roma families from socially vulnerable categories,
- › improvement of the living conditions of Roma families through the development and implementation of integrated urban regeneration programmes and the elimination of harmful living conditions,
- › provision of systematic registration of property and land owned by Roma in the Cadastre.

As an initiator and signatory of the Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process, the Government of the Republic of North Macedonia is committed to implement policies in six areas including housing.³⁵ Therefore, it is stipulated that in the area of housing the economies should “wherever possible, legalize all informal settlements where Roma live or provide permanent, decent, affordable and desegregated housing for Roma currently living in informal settlements that cannot be legalized for justified reasons”.

Therefore, the conclusions of the last Roma seminar (working meeting on social inclusion of Roma organized by the Cabinet of the Minister without portfolio in cooperation with the Ministry of Labor and Social Policy, the Secretariat for European Affairs and the EU Delegation to the Republic of North Macedonia) in the area of housing were directed at support for the legalisation process for illegally constructed buildings, the inclusion of Roma in social housing programmes and the provision of more infrastructure projects in Roma neighbourhoods. The draft budget for 2020 shows an increase of 37 per cent for the implementation of Roma policies, which is a positive step forward. This increase is due to the doubling of funds in the budget section of the Ministry of Transport and Communications for implementation of infrastructure projects in Roma settlements. In the area of housing, as in other areas, the biggest problems are the lack of data, the lack of an adequate performance monitoring system, the lack of baseline indicators to measure progress in the area of housing, and the lack of a timeframe for implementing the foreseen policies and programmes.

Current situation and key priorities

I. Access to social housing

According to fieldwork data obtained by CSOs and the Roma Information Centres, some Roma families who are renting flats failed to provide the necessary documentation, including, among other, their latest paid electricity bill or legally unregulated home ownership agreement (rented accommodation for agreements with homeowners are not appropriately regulated), were asked to leave. Having these issues in mind, **many Roma are on the edge of society without a secure**

34 Ministry for Labour and Social Policy, *National Action Plan on Housing, 2015*. Available from <http://bit.ly/2qVx5Et>.

35 Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process, 2019. Available from <http://bit.ly/2MkNNFr>.



roof over their heads. In 2016, the Government order the demolishing of the improvised shacks of 121 Roma with children (29 families) and left pregnant women to live under the open sky next to the River Vardar.³⁶ A few months later, the Government brought a **Decision on temporary care and obliged the Ministry of Labour and Social Policy to ensure the mandatory inclusion of all displaced persons in the Living Support Programme.**³⁷ The Decision was intended to ensure that all displaced persons are provided with adequate living conditions, develop their working skills in order to increase their chances of entering the labour market and to integrate them into the social environment. **However, they still do not have permanent dwellings suitable for a decent life. Therefore, access to social housing is a social right that government needs to secure for each individual.**

2. Legalisation of illegally constructed buildings

In the last 25 years, **municipalities have been unable to identify appropriate solutions to urbanise and include Roma neighbourhoods within the General Urban Planning of the cities,** which has deepened the problems associated with the lack of legalisation and left many Roma dwellings out the process of legalisation. **The process of legalisation is mainly the responsibility of local self-government units and often there is no disaggregated data on cases completed or in process, while monitoring on the achievement of the indicators for this priority is not measurable.** There are still a large number of Roma dwellings that are not legalised, which increases the risk of becoming homeless for Roma. This is mainly because they are unaware of the possibilities and the necessary documents that need to be collected or because of migration to the EU.

3. Infrastructure projects in Roma neighbourhoods

According to the Social Mapping of Roma (conducted by AECOM in coordination with the Delegation of the European Union Skopje along with the Ministry of Labour and Social Politics and the Cabinet of the Minister without Portfolio responsible for implementation of the Roma strategy), the settlements mainly populated by Roma lack access to public services and infrastructure such as asphalted road, sewerage, the storm sewer system, electricity supply and waste collection.³⁸ All of these challenges facing the Roma community have a detrimental impact on their health. Another major problem related to urbanisation is that many of these settlements are not included in the municipal urban planning process mostly because the local authorities have not identified appropriate solutions for their urbanisation. This problem contributes to the lack of legalisation, which means that the majority of Roma neighbourhoods are ineligible for the legalisation process and the implementation of infrastructure projects. As a result, **many households are concerned about the security of their homes because the municipal authorities could order that they be demolished. In addition, some Roma settlements are at risk of natural disasters, such as landslides and floods, which exacerbates their situation even further.**

36 Radio MOF, *Roma under Kale - Neither on the sky nor on the earth*, 2019. Available from <http://bit.ly/32S0KMB>.

37 Kanal5, *Persons living under Kale will be temporarily taken care of*, 2019. Available from <http://bit.ly/2CNTPZM>.

38 AEKOM, *Report for the social mapping*, 2019. Available from <http://bit.ly/2Q4YsX3>.

Key mainstream documents and measures

Pillar I. Social housing for Roma

Mainstream measure: Construction of social apartments

One of the key documents analysed was the **Strategic Plan of the Ministry of Transport and Communications 2018–2020.**³⁹ This Strategy addresses the need for timely, transparent and objective planning of the processes, activities and projects within the Ministry. **Three mainstream measures from this Strategy were identified as being beneficial toward the Roma community.** The same measures were found in the Action Plan for Implementation of the Sustainable Local Development and Decentralisation Programme 2015–2020 for the period 2018–2020.⁴⁰

According to the Ministry of Transport and Communications, the main goal of implementing this measure is to **provide dignified housing conditions for socially vulnerable categories of citizens.** At the same time, this measure is associated with the Strategy for Roma 2016–2020 and the Action Plan for Housing in the outcome section on **providing social housing for Roma families from socially vulnerable categories.** The purpose of the activity is to **build social housing to reduce poverty, which is an essential prerequisite for providing humane living conditions, rehabilitating the family and achieving sustainable economic and social development.** Because of a more balanced approach to spatial development and the equalisation of housing standards, buildings are planned throughout the economy. The scope of persons belonging to the Roma community differs because depending on the conditions that applies for the use of rented social housing Roma can apply under any of the other categories. However, among the seven categories only one is intended for socially endangered persons belonging to the Roma community.

Impact on Roma

According to information from the Ministry of Transport and Communications for 2016, 111 flats were allocated of which 73 were built in Prilep, 18 in Resen and 20 in Demir Hisar. There were no housing allocations and no facilities under construction were completed in 2017. According to the Commission for the Allocation of Social Housing, by 2017 there was a total of 731 housing units of which 669 were already allocated. In 2018, 53 residential buildings were constructed but they have yet to be allocated. During 2018 two buildings, one in Strumica with 41 flats and one in Gostivar with 70 flats, were completed but have yet to be allocated.

The measure for building social housing has had a positive effect on the Roma community, especially since 2016 when out of 669 flats 118 were allocated to Roma families. The latter representing

39 Ministry of Transport and Communications, *Strategic Plan*, 2019. Available from <http://bit.ly/37hfAzg>.

40 Ministry of Local Self Government, *Action Plan for Implementation of the Sustainable Local Development and Decentralisation Programme 2015–2020*, 2019. Available from <http://bit.ly/2NNG6Z6>.



17.6 per cent of the total number of flats allocated for all categories. Yet the stagnation of the process of building and distributing social housing under the Council of Europe Development Bank supported project FP1764 has had a negative impact on the Roma community. Only 50 per cent of the planned budget for social housing was spent and this undermined the planned project on social housing in Shuto Orizari.

Priority 2. Urban Planning

The Ministry of Transport and Communications foresees the Strategic Plan 2018–2020 as preparation for new urban plans in support of the municipalities aimed at faster urbanisation and arrangement of the space. **According to paragraph 2 of Article 22 of the Law on Physical and Urban Planning and pursuant to the proposal of the Ministry of Transport and Communications, each year the government adopts an annual programme for financing the development of regulatory plans of general urban plans, urban planning and urban planning documentation and urban design documentation. However, the municipalities do not apply with projects to develop or revise the DUPs and GUPs for Roma neighbourhoods.**

At the same time, this measure relates to the Strategy for Roma 2014–2020 and the Action Plan for Housing under the outcome section on providing systematic registration in the cadastre of property and land owned by Roma. The **Law on Legalisation of Illegally Constructed Buildings**⁴¹ at the central level was adopted in 2011. Although this Law and other regulations have been adopted little progress has been made on this priority. **A significant number of Roma homes are still not included in the process for legalisation because of changes and upgrades that need to be made to the Detailed Urban Plans (DUPs) and the General Urban Plans (GUPs).** Because of this, there is no legal basis for the construction of the water supply and sewerage network or connection to the electrical grid. This situation contributes to a decrease in the quality of life of Roma communities living in these areas and increases their social exclusion.

Impact on Roma

The fact that one of the main obstacles is that the parcels of land on which the houses of Roma families are constructed are not urbanised and are not included in the GUPs or DUPs underlines the negative impact that the slow implementation of the measures related to the development of the urban plans in relation to Roma neighbourhoods has on this community. This means that there is no legal basis for the construction of the water and sewerage network or connection to the electrical grid, which perpetuates the substandard living conditions in these settlements. The Ministry of Transport and Communications together with the municipalities should develop a step-by-step action plan to modify the GUPs and DUPs and include Roma houses in these plans.

⁴¹ Ministry of Transport and Communications, Law on Legalisation of Illegally Constructed Buildings, 2019. Available from <http://bit.ly/2NWFL6o>.

According to the table below taken from the Shadow Report by Romalítico for 2018, at least ten Roma neighbourhoods have not been urbanised or their dwellings legalised because of the required changes that need to be made to the General Urban Plan or the Detailed Urban Plan.

Table. I Overview of settlements that are not urbanised

	Local self-government	Roma neighbourhoods to be urbanised
1.	Shuto Orizari	Baraki, Garibaldi, Volt Dizni, Georgi Penkov
2.	Kumanovo	Sredorek
3.	Prilep	Part of Trizla
4.	Bitola	Bair
5.	Tetovo	St. 146
6.	Gostivar	Dupka
7.	Kichevo	Meksicka
8.	Veles	Prcorek
9.	Kavadarci	Bushansko maalo
10.	Strumica	Kliment Ohridski, Tranzit

Priority 3. Improving the infrastructure in Roma neighbourhoods

The **National Strategy for Sustainable Development 2009–2030 foresees the improvement and construction of an ecological and communal infrastructure (water supply system, wastewater system, wastewater treatment plants and integrated solid waste management).**⁴² Moreover, the **Strategic Plan of the Ministry of Transport and Communications envisages implementation of the project for water supply and wastewater services in the municipalities in the Republic of North Macedonia through further implementation of subprojects under this project in cooperation with the European Investment Bank.** The Strategic Plan also foresees a subproject in cooperation with Kreditanstalt für Wiederaufbau to implement a project on water supply and sewerage in the municipalities. In **the Strategy for Regional Development**⁴³ of the Republic of North Macedonia 2009–2019, priority 2.4 is aimed to increasing the level of social development in the regions and includes the following measures:

- › raising the standard of housing;
- › opportunities to connect all dwellings to the water supply, sewerage and electricity utilities;
- › equipping apartments in order to raise the level of sanitary facilities.

⁴² Ministry of Environment and Physical Planning, *National Strategy for Sustainable Development 2009–2030*, 2019. Available from <http://bit.ly/2CSqpK4>.

⁴³ Government of Republic of North Macedonia, *Strategy for Regional Development of the Republic of North Macedonia 2009–2019*, 2019. Available from <http://bit.ly/2CTcOSB>.



It was disclosed during an interview with representatives of the Ministry of Labour and Social Policy that around MKD 4 million is planned for the renovation of houses of socially vulnerable groups in 2020, including dwellings of Roma families.

Having in mind all these projects and measures the municipalities and the government should create a strategy to include Roma neighbourhoods that have no water supply, wastewater services, sewerage systems, communal infrastructure or roads.

All of these projects and activities are in line with the Strategy for Roma and the Action Plan for Housing in terms of the outcome section on improved living conditions for Roma families, which includes the development and implementation of integrated urban regeneration programmes and a reduction in harmful living conditions. **The relevant institutions should take into consideration the ethnic aspect, because Roma neighbourhoods are most affected in terms of not having water supply, wastewater services, sewerage systems, communal infrastructure and roads.** Therefore, all of these projects and activities need to be implemented in collaboration with the **Ministry of Self-Government and the municipalities.**

Impact on Roma

In terms of Roma coverage, it is clear that significant progress was made in 2018 because of the increased budget for implementing infrastructure projects. The projects covered 327,107 inhabitants of which 27,087 (8.2%) were Roma. According to the Shadow Report by Romalitico for 2018, the following 14 infrastructure projects were implemented.

Municipality	Short description of the project
Shtip	Construction of Radanski pat street
Shtip	Construction of a walkway as a link between the streets Shirok Dol and Radanski pat
Vinica	Construction of a retaining wall on Ivo Ribar Lola street
Shuto Orizari	Reconstruction and improvement of Volt Dizni street
Shuto Orizari	Reconstruction and improvement of Vietnamska street
Delchevo	Completion of reconstruction works on Ilinden street and construction of a retaining wall
Pehcehvo	Reconstruction of the upper surface of the pavement construction on street I in the village Crnik
Berovo	Construction of Dimitrie Tucovic street
Berovo	Construction of an accessible pedestrian street as a junction to Balkan street and Bratstvo and Edinstvo street
Kochani	Construction of Stamen Manov street and construction of two retaining walls
Kochani	Reconstruction of part of Slavco Stoimenov street

Municipality	Short description of the project
Kochani	Construction of Blaze Pop Arsov street and construction of retaining walls
Bitola	Completion of the commenced activities in the settlements of Bair 4 and Badembarli 3 in the Municipality of Bitola (financed in accordance with the Decision on the allocation of funds from the budget of the Republic of North Macedonia for 2017)
Kumanovo	Reconstruction of streets in the neighbourhood Sredorek
Prilep	Implementation of communal infrastructure projects in the neighbourhood of Trizla

In relation to implementation of the Local Action Plans for Roma, the Ministry of Local Self-Government allocated funds for the first time to support these plans. During 2018, 12 municipalities received supported focused on implementation of activities from the Local Action Plans in these municipalities. **The Ministry of Local Self-Government should increase this budget allocation in order to oblige the municipalities to allocate more money for implementing the activities foreseen in the Local Action Plans.**

Recommendations

According to the analysed documents, it can be concluded that the priorities of Roma are included in mainstream policies. Yet there is lack of political will and coordination between the institutions in regard to the budget limit for implementation of the housing policies, which would include Roma neighbourhoods in the agenda of the institutions and municipalities responsible for implementation of the policies and measures. A progressive increase in budgetary allocations for Roma can be noted and available information on the utilisation of these funds represents a step toward transparency in relation to the issue of Roma housing in the Republic of North Macedonia. However, there is still a need for greater transparency in the allocation of social housing as well as greater efforts to address the problem of Roma housing.

The allocation of funds for Roma housing also needs to be increased, despite the trend of improvement in funds available for Roma housing. Although there has been growing alarm in the last few years, the priorities of the Strategy have been provisionally realised. Social housing, upgrading of communal local infrastructure and the legalisation of illegally constructed buildings have become part of the focus of institutions and stakeholders. Therefore, a greater allocation of funds and the use of monitoring mechanisms for utilising these funds is the best way to eliminate the problem of Roma housing in the Republic of North Macedonia.



Considering the above, it is recommended that the following be implemented:

- ✳ Amend the Law on Legalisation by extending the deadline up until 2021. Social cases should be exempt from charges related to the legalisation process.
- ✳ Adopt the Detailed Urban Plans and modify General Urban Plans because the houses built by Roma families are not urbanised and are not included in the GUPs or DUPs.
- ✳ The budget for infrastructure projects in Roma settlements should be increased.
- ✳ Adopt the Law on Social Housing.
- ✳ Increase the allocation of social housing for marginalised Roma who are in need of social housing throughout the territory of the Republic of North Macedonia.
- ✳ Ensure technical support for municipalities in the preparation of urbanisation projects for the purpose of utilising the Central Budget Urbanisation Programme.
- ✳ Implement the construction of social building in Shuto Orizari in accordance with the plan for the construction of social housing within the FPI 764 project.
- ✳ Establish a database with segregated data in order to measure the effect and results of the targeted and mainstream policies.

MAINSTREAMING EMPLOYMENT





One of the main pillars of the governmental programme for the period 2017–2020 is the development of the economy and increasing the living standards of citizens. Although unemployment has fallen significantly over the past years reaching 17.1 per cent in the third quarter of 2019, the unemployment rate among Roma has not changed.⁴⁴ The reforms announced in the area of employment focus on improvement of the social and tax system, increasing the minimum wage, increasing the budget for active labour market measures and supporting domestic companies as well as improving the environment in which small and medium size enterprises (SME) operate.

The reforms in the above areas combined with the macroeconomic growth and structural reforms have had a positive impact on the employment rate, which has accelerated growth in employment up to 5.2 per cent in the first quarter of 2019.⁴⁵ Most of the new jobs created were in manufacturing, transport and storage, administrative services and entertainment. In parallel, the actual net wage had increased by 2 per cent by the end of June 2019, which in part reflected the increases in the minimum wage in July 2018.

The proportion of undeclared employment that reached 18.1 per cent in 2017 has decreased steadily from 28.6 per cent in 2008 but remains significant, especially for low skilled workers.⁴⁶

The Government adopted an action plan to implement its 2018–2020 strategy for incentivising the formalisation of undeclared work in August 2018, which was flanked by improvements to the monitoring capacity of the administration. The Government has also taken measures to curb cash payments.

The Republic of North Macedonia is approaching the end of the implementation of the Strategy on Roma yet the same barriers in relation to the inclusion of Roma in the labour market remain. Roma in North Macedonia still have twice the unemployment rate (49%) compared with non-Roma. Therefore, the employment prospects for Roma have not changed in comparison to 2011.

According to data obtained from the Employment Agency, as of 30 June 2019 there were 101,657 active job seekers registered of which 8,427 were Roma. This represents 8.3 per cent of the total number of active job seekers. On 31 December 2018 the total number of active job seekers was 94,720 of which 6,333 were Roma, which accounts for 6.7 per cent of the total number of active job seekers. **It can be concluded that there has been an increase in the number of active job seekers of 7.3 per cent, while for Roma the rate is 33 per cent.** However, the upward trend in the number of active job seekers relates primarily to the governmental policy on the activation of the unemployed in the labour market, social protection reforms and the measure of guaranteed minimum income.

Overall, in 2019 there was a trend of increased unemployed among Roma compared to 2018. In order to achieve a reduction in unemployment the operational plan for employment envisages measures that will allow employers to encourage Roma to employ other Roma and to develop

their own businesses. This is to be complemented by measures aimed at increasing the skills of the unemployed. On average, between 3 and 4 per cent of Roma have been beneficiaries of active employment measures over the last three years. Yet while the absolute number of Roma beneficiaries has increased the relative share of total beneficiaries covered by active employment measures remains unchanged. The small number of Roma beneficiaries (185 Roma in 2017 and 233 in 2018) accounting for 3 per cent of the total number of people covered by active employment measures has had only a minor impact on reducing Roma unemployment. Moreover, from those involved in the active labour market measures around 40 per cent were involved in the programme for public works. This programme does not improve the qualification structure of unemployed Roma but rather offers income for a period of three to nine months.

Employment of Roma in the public sector has remained unchanged for the last three years, amounting for 1.3 per cent or around 1,800 Roma employed in public administration in 2018. In terms of job distribution, 1.4 per cent was engaged in non-managerial jobs, 0.2 per cent in managerial jobs and 0.6 per cent elected or appointed to public institutions. According to the Ombudsman report on equitable representation, the lowest representation of Roma is in the judiciary and its organs, education and in the municipalities at less than 0.5 per cent.

According to the Employment Agency, the registered unemployment of Roma amounts to 8,427 of which 48 per cent are women. Based on the level of education, around 92 per cent of Roma registered as unemployed are without education or primary education, 3 per cent with unfinished secondary education, 4 per cent with secondary education and 0.3 per cent with a university degree. **The qualification structure of unemployed Roma has not changed in the last five years.**

Around 22 per cent of registered unemployed Roma are aged 5-29, while 50 per cent are at or above 40 years of age. **The high rate of unemployed Roma aged above 40 indicates that there is a high dependency ratio among Roma, which in the absence of pension creates an additional burden on the younger generations. Around 32 per cent of registered unemployed Roma are long-term unemployed (more than 2 years), which represents a significant challenge in terms of their motivation and ability to participate in the labour market.**

The key priorities for Roma are linked to a large extent to the governmental priorities of transformation of the undeclared economy, a reduction in unemployment and an increase in the qualifications of the unemployed as well as increased income and improved living standards of the population. These key priorities are included in the Roma Strategy as well as in the Programme of the Government yet they continue to produce different results for Roma and non-Roma.

⁴⁴ State Statistical Office, 2019, *Labour Force Survey*.

⁴⁵ European Commission, 'EU Candidates Countries and Potential Candidates', *Economic Quarterly*, 2019. Available from <http://bit.ly/35wDzjk>.

⁴⁶ Government of the Republic of North Macedonia, *Economic Reform Programme*, 2019.



Key mainstream documents and measures

Pillar I. Job creation and activation of the unemployed

Around 64,000 new jobs are planned within the Government's Programme for Economic and Social Reform through support of the active labour market policies with a budget of EUR 22 million.⁴⁷ The active labour market policies are intended to stimulate employment through intervention on the demand side of the labour market by supporting companies to hire more people. It will also instigate interventions in labour supply through support for training aimed to increasing the skills of the unemployed.

Measure 1. Active labour market policies – Self-employment and wage subsidies

Self-Employment

The measure for self-employment contained in the operational plan for employment for 2019 is intended to include 1,484 people. The measure includes grant support ranging from 4,000 to 10,000 euros provided after successful completion of the training and creation of a viable business plan.⁴⁸ An exception has been made for Roma in order for them to be targeted as beneficiaries for the first time. Roma will be encouraged to open taxi or agricultural production companies with the grant support.

Impact on Roma

This measure directly targets Roma and around 24 Roma⁴⁹ have been involved to date. Yet the criteria for passing the training and creating of viable business plan and then getting the finance is an obstacle for reaching the last phase of the measure. Seen from the perspective of undeclared workers this means losing their everyday income and this discourages many Roma from reaching the last phase. However, as the measure supports their opening taxi companies and specifically targets Roma it represent a great opportunity for Roma taxi drivers to formalise their activity and step out of the undeclared sector. Moreover, if two or more unemployed people apply together and become partners in the business then the grant scheme can reach up to EUR 10,000. In addition, the newly created company can apply for other measures such as subsidised wages and training.

Wage subsidies

One of the measures for stimulating job creation is the wage subsidy measure, which covered 1,321 unemployed persons in 2019. The measure aims to support companies, NGOs and social enterprises by subsidising wages up to EUR 300 for the target group defined as hard-to-employ. The support for subsidising wages is envisioned for employees for three, six and up to nine months, while additional financial support for the employer lasts from nine to thirty months.

⁴⁷ Government of Republic of Macedonia, 2017, *Programme of the Government 2017–2020*. Available from <http://bit.ly/2EwH7zC>.

⁴⁸ Ministry of Labour and Social Policy, 2019, *Operational Plan for Employment 2019*. Available from <http://bit.ly/2rLNKLG>.

⁴⁹ Romalitic, 2019, *Shadow Report on the Implementation of the National Strategy for 2018*.

Impact on Roma

The measure targets unemployed Roma but can also include Roma entrepreneurs/ companies, NGOs and social enterprises in order to employ Roma. Around 35 Roma were included in the measure in 2018, which represents 3 per cent of the total beneficiaries.⁵⁰ The main flaw of the measure is that it allows employers to choose from the pool of unemployed people, which as experience has shown means that the number of Roma engaged in this measure was low. The companies are effectively 'cherry picking' and there is no additional system of incentives to encourage them to pick Roma as employee.

Measure 2. Youth Guarantee Programme

The Youth Guarantee Programme started in 2018 as a pilot project in three municipalities with the aim to boost youth employment and increase their employment opportunities. The EU supports the measure as it is specifically intended to reduce the high unemployment rate among youth. **It provides opportunities for young people to continue their education and enrol in an internship or undergo training as measures to prepare them for employment.** Such opportunities are offered to young people four months after they have completed their studies or after their registration as unemployed at the Employment Agency. In 2019, the Government decided that the Youth Guarantee Programme should be implemented in all municipalities.

Impact on Roma

The Youth Guarantee Programme targets Roma youth in particular. For the period January to November 2019, 1,041 Roma were included and of those 519 were women (50%). From the total number, 273 Roma received job offers, 11 continued their education and the remainder receive further training and services from the Employment Agency. The measure has had a positive impact on young Roma and a higher number of Roma is planned for the next year, especially in the measures related to the completion of secondary education. However, those Roma who are not in employment, education or training (NEET) has yet to be targeted by the current framework of the Youth Guarantee Programme. This is because the main responsibility for the identification and design of the measures (completion of primary education, teaching curricula, qualification etc.) rests with the Ministry of Education and Science, which is not engaged in the measure.

Measure 3. The Law on Social Protection

One of the important reforms in the area of social protection is the new Law on Social Protection, which for the first time included the concept of General Minimum Income along with significant increases in the amount of the allowance. Reform of the child allowance system and the state pension were also introduced. The purpose of the reform was to take people out of poverty and provide a secure safety net for families and to activate them in the labour market.

⁵⁰ Ibid.



Impact on Roma

The new Law on Social Protection has had a positive impact on the Roma community as it provides a safety net for Roma families and stimulates children to attend school. One of the most significant aspects of this impact has been the increase in activation in the labour market, especially among women. However, Article 40 of the Law stipulates that the right to General Minimum Income will terminate if a beneficiary refuses on two consecutive occasions a measure from the active labour policies. Given the fact that 92 per cent of unemployed Roma are without primary or secondary education this makes most of them eligible for the measure for public works; however, in the long term this measure does not contribute to increasing employment opportunities for Roma.

Measure 4. Change in the Law on Public Administration

Employment in the state and public administration is regulated by the Ohrid Framework Agreement, which promotes the principle of equal representation for all minorities according to data from the 2002 census. In 2016, the Methodology for Distribution of Employment in the Public and State Administration Balancer software that pre-determines the ethnicity of employees was adopted in order to contribute to the achievement of equal representation of minorities in public administration. **The Minister of Information Society and Administration announced that there would be changes to the Law on Public Administration. The proposal related to the abolishment of the Balancer to be replaced by sectorial planning on jobs.**⁵¹

Impact on Roma

The new Law on Employment in Public Administration has yet to be disclosed to the public and there is no clear indication of how sectorial planning of jobs in the state and public administration will be implemented. However, it is expected that the new proposal will benefit smaller ethnic groups because the baseline for employment will be set in accordance with the current level of representation of ethnic groups within the public and state administration. Nonetheless, the requirements for new employment (passing examinations and a certificate in English) in the administration may prove an obstacle for Roma because often they cannot pass the state examination.

Pillar 2. Undeclared Economy

In 2018, the Government adopted a strategy and action plan to reduce undeclared employment and outlined a number of measures for the formalisation of jobs and targeting of the shortcomings in the business environment considered likely to drive firms to the undeclared economy. The strategy itself focuses more on the incorporation of measures related to the control and imposition of sanctions on undeclared workers and businesses than on building an ecosystem

⁵¹ Statement by the Minister of Information Society and Administration (November 2019). Available from <http://bit.ly/34weugh>.

to ensure a smooth transition from undeclared to declared employment. To date, there is no state budget allocated for implementation of the strategy and it remains largely dependent on EU funds.

Measure 1. Voucher system to stimulate service users to use formal providers/ services

In order to stimulate the transition from undeclared to formal economy, it is planned to establish a voucher system aimed at stimulating people to use formal providers and services. It is planned **within the IPA programme of support for the Government of Republic of North Macedonia to establish a service voucher system for domestic work.** The provision of employment contracts with newly established companies will provide vouchers and tax relief for those working in the undeclared sector. The measure is still at the planning stage but it is expected that implementation of the voucher system will start in 2020.

Impact on Roma

Although the measure is still at the planning stage, it should provide formalisation and stimulation for Roma engaged in cleaning and the collection of secondary scrap material. The measure should be planned for an extended period and mentorship support provided in order to help people to understand the benefits of the measure.

Measure 2. Initial capital of 1 EUR to establish a limited liability company

The new Company Law introduces a new form of entity in the form of a simplified limited liability company. This measure lowers the required initial capital down from 5,000 to 1 euro in order to stimulate the formalisation of undeclared activities. Under the new Law, it will be much easier to register a company. Yet a requirement for a new company is that it has reserves that must include a quarter of the profit of the company as declared in the annual financial statements, which is reduced by any amount of loss from the previous year.

Impact on Roma

The new Law proposal provides an opportunity for many undeclared Roma workers to register and establish a new company. Moreover, the measure should stimulate access to finance for Roma entrepreneurs because for the first time Roma entrepreneurs will be able to apply for business loans as a legal entity. The practice thus far only allows them as undeclared entrepreneurs to borrow money from banks for business as a physical person; however, the conditions are stricter and the costs higher.

Measure 3. Law on Social Entrepreneurship

The Law on Social Entrepreneurship, which has yet to be adopted, has been planned since 2015 and undergone numerous changes. The proposed Law provides opportunities for foundations, physical persons and private companies to establish social enterprises with a clear social mission, including employing socially vulnerable groups, but with several restrictions on the allocation of



the profit of the social enterprise. In addition, it provides tax stimulation such as exemption from payment of social contributions, profit tax and VAT.

Impact on Roma

The proposed Law offers an excellent opportunity for the non-profit sector to establish social enterprises for Roma, especially for Roma involved in recycling and the collection of plastic bottles. It would have a positive impact on Roma by increasing their employment opportunities and by ensuring better working conditions, improved rights and the establishment of a safety net.

Pillar 3. Increased living standards and higher income

One of the main goals of the Government is to increase living standards and the income of citizens. As such, the Government has pledged to lower the poverty rate in the economy and increase wages up to a level that covers the cost of living expenses.

Measure 1. Minimum wage

Starting from December 2019, the minimum wage will be increased up to a net level of MKD 14,500. The new measure should stop the practice among companies of payment in an envelope, especially in labour intensive sectors. Through this new measure, employees would receive higher wages and the Government would provide compensation to companies through the provision of subventions for the wage increases and will include additional support with the new law for financial support.

Impact on Roma

The impact of the new Law on Roma would be twofold. On one side, it would mean an increase in wages for Roma employed in the textile or any other sector and therefore provide them with more income. On the other side, the minimum wage would increase costs for newly established companies and entrepreneurs in relation to formalising their business activities. This would add an additional burden on undeclared workers and entrepreneurs because the cost of labour would increase and in the absence of any other incentives possibly make them reconsider the decision to formalise their activities.

Measure 2. Provision of subsidies related to wage increases

The **new Law is intended to stimulate employers to increase the wage of their employees by providing compensation in the form of exemption from paying compulsory social security** contributions to the amount for which the subsidy is approved. The highest threshold for the wage increases is up to MKD 6000.

Impact on Roma

The measure is intended to stimulate companies run by Roma to increase the wage of their employees; however, since the measure only applies to companies that have been in operation for at least three months it does not provide any incentive for newly established companies. This could therefore have an adverse effect on Roma wishing to formalise their undeclared activities.

Measure 3. Youth allowance

Through the youth allowance, the Government encourages the employment of young people in the manufacturing sector after they have completed their secondary education. In this way, it contributes to improving their standard of living and at the same time helps to meet the needs of employers through the establishment of a suitably qualified workforce. The planned amount of the youth allowance is up to MKD 3,000 per month paid to young people up to 23 years of age that have completed their secondary education.

Impact on Roma

Considering that the majority of unemployed Roma only have primary or are without primary education, there is a low probability that young Roma already registered as unemployed will benefit from the measure.

Recommendations

In order to include Roma in the labour market and increase the employment level an enabling environment needs to be created based on the demands of the labour market and labour supply as well as by unleashing the entrepreneurship potential of the Roma community. In this regard, the general policies and measures related to job creation, activation of the labour market and achievement of higher living standards have to be redesigned in order to incorporate Roma into mainstreaming policies. The following measures need to be adapted and further mainstreamed in order to reflect the reality of the situation of the Roma community.

✿ Active Labour Market Policies

The Operational Programme for Employment should introduce targets or a quota system to increase the level of coverage of Roma by 15 to 20 per cent in the active labour market, calculated as the share of Roma in the total number of beneficiaries. The Agency for Employment needs to take on a more proactive role in matching Roma and employers. The new Law on Social Protection offers an opportunity for the Agency to suggest measures directly to unemployed Roma but also to create additional incentives for employers in the form of higher subsidy or tax relief if they employ Roma within the active measures. The wage subsidy measure yields the best results in terms of increasing employment and therefore it should be expanded in order to increase the number of Roma involved in such measures. Additional pilot measures, such as a grant scheme for social enterprises, vocational training and a second chance at education, should be introduced.

✿ Changes to the Law on Registration of Unemployed

The activation itself as it is planned in the new Law on Social Protection provides limited opportunities for increasing the qualification structure of Roma. Moreover, removal of the measure of deleting unemployed persons who fail to register as active or passive



job seekers from the unemployment register for a period of one year would reduce the exclusion of Roma from the labour market. The Law on the registration of unemployed at the Agency for Employment needs amending in order to include unemployed persons in the labour market and allow flexibility in terms of re-entering the registry of the Agency for Employment. Instead of erasing and excluding unemployed from the labour market for a period of one year (in most cases this involves repatriated refused Roma asylum seekers) the system of employment needs to give another opportunity to re-enter the labour market.

✿ **Modifying the Youth Guarantee Programme**

Within the Youth Guarantee Programme, there are no measures for targeting the NEET (not in employment, education or training) group. Roma constitute a large part of the NEET group and therefore the Ministry of Education and Science in cooperation with universities and the Ministry of Labour should create opportunities such as the provision of second chance education and adoption of the Qualification Framework for non-formal Education in order to ensure recognition of the skills and abilities of all.

✿ **Changes to the Law on Employment in the Public Sector**

The new model for employment in the public administration has to be transparent and include the civil society sector. The baseline for all ethnic minorities has to be updated and the representation of Roma safeguarded by the Commission for ensuring Equal Representation in the Public and State Administration. Roma already employed in the administration need to be considered for promotion to managerial positions within the public administration.

✿ **Undeclared economy and entrepreneurship**

The formalisation of undeclared Roma workers should follow a gradual approach with easy to understand procedures that will stimulate Roma to get out of the grey zone. In this regard, the Government should adopt the Law on Social Entrepreneurship and introduce concrete tax relief as well as grant schemes to support social enterprises. Because many Roma lack knowledge on the administrative side of managing a company business incubators or mentorship centres should be established in order to help Roma cope with the business administration side of newly established companies.

To support the growth of micro entrepreneurs, the Government should increase the grant support scheme under the Active Labour Market Policy (ALMP) and ease access to finance by introducing subsidies on the interest rate.

✿ **Increased living standards and higher income**

Although the minimum wage has had a positive effect on providing higher income for the population, from the perspective of self-employment it has increased the cost of running

a business. The measure puts an additional burden on undeclared workers and small entrepreneurs and demotivates them from stepping into the formal sector. Therefore, the Law on Minimum Wage requires amendment to ensure that it does not apply to newly established businesses for a period of at least one year.

Similar to the youth allowance, the Government should introduce a measure to stimulate the long-term unemployed and women to become actively involved in the labour market. Such measures would also include Roma and help motivate unemployed Roma to register at the Agency for Employment. The youth allowance should not be tied to the level of education because there is a stratum of the population that did not start or complete their secondary education but are working in the production sector.



MAINSTREAMING HEALTH



Many international resolutions and documents guarantee the right to health. Healthcare is recognised as a fundamental right in many countries both within their domestic legislation and through the adoption of international documents such as the **Constitution of the World Health Organization**. The latter recognises the health standard as a fundamental right of every human being, while **Article 25 of the Universal Declaration of Human Rights** emphasises the right to health and well-being and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other circumstances beyond the control of an individual that cause a lack of livelihood.

According to **Article 39 of the Constitution of the Republic of North Macedonia**, healthcare is a guaranteed right. The Law on Healthcare guarantees all citizens quality healthcare with respect to their moral, cultural, religious and philosophical beliefs and guarantees the right to information necessary for the maintenance of an individual's health. Since gaining independence, the Republic of North Macedonia has inherited a large established healthcare system that consists of 14 sectors. **The healthcare system is characterised by its limited geographical and financial accessibility, qualified staff and adequate control of infectious diseases and almost full coverage of the population through the immunisation programme.**

The health status of the population is similar to that of the other economies of South-Eastern Europe but lags behind the EU. However, the healthcare sector faces several challenges associated with the improvement of the health status of the population. These include provision of the basic benefits package, delivery of health services, public health planning, the management and development of human resources, quality assurance, health financing and the provision of a sustainable system of healthcare.

The context of the health of Roma relates largely to the lack of health education and information, limited access to health services and discrimination in the provision of the services. Because of their critical socioeconomic living conditions, these limitations together with other obstacles that burden Roma demonstrate an unsatisfactory level of health within the Roma community. Roma are more disadvantaged compared to the majority population. **Roma have substantially lower life expectancy compared to non-Roma (10 to 20 years) and higher rates of infant mortality at 25 per cent compared to the general population as well as a higher incidence of chronic diseases. In addition, the services Roma receive are typically of a lower quality than the services offered for the general population.**

In the last three years, the budget dedicated for Roma by the Ministry of Health has remained the same (MKD 3.2 million). The percentage of realisation of the funds dedicated for Roma is 55 per cent or approximately MKD 1.7 million. The funds generated through the programme that supports the implementation of the Strategy of Roma are generally directed toward supporting Roma health mediators, which are recognised as intermediaries between the Roma community and the health sector. **One of the most vulnerable and marginalised targets is Roma women who are subject to double discrimination through gender and ethnic basis.**



In addition to discrimination, Roma women also face physical and financial obstacles that restrict their access to healthcare services. Living in neighbourhoods that are mostly excluded in terms of access to health institutions, Roma women are extremely limited in this sense. Thus, many Roma women do not receive any form of health education and remain unaware of their rights. Based on the context, there are many priorities related to Roma health. Yet the key identified priorities for Roma are access to healthcare and medicine. More specifically, access to health insurance, the removal of discrimination, access to information and services and access to medicine.

Access to health

✿ Health insurance

Health insurance coverage among Roma is nearly the best in the region, as reported by institutions and NGOs.⁵² According to the briefing 'Roma in the Republic of North Macedonia: Challenges and Inequalities in Housing, Education and Health', 94 per cent of Roma are covered by health insurance compared to national coverage at approximately 97 per cent.⁵³ The key reason for the limited health coverage of Roma is the lack of personal documentation. **People without documentation are not part of the health or any of the other systems.** Their legally invisible status denies these people enjoyment of basic human rights and services. In addition to the problems related to documentation, others reasons, such as their low level of health literacy, the lack of accurate statistical data, and financial barriers, are obstacles to Roma gaining health insurance.

✿ Discrimination

Discrimination is one of the main factors for the social exclusion and poor health of Roma. Cultural differences often create clashes and obstacles in the health sector and this creates a lower level of health services for Roma and insensitive health workers in the health institutions. Roma tend to have less trust in health workers and services, while the behaviour of some health workers combined with their denial that discrimination exists within the health sector exacerbates this problem. According to data from the Ombudsman, there were 20 complaints filed by Roma in the area of healthcare in 2018 and this number was 35 in 2017.⁵⁴ Yet this data only refers to the number of complaints and not to established cases of discrimination involving a violation of the health and social rights of persons, because that type of data is not recorded. **Discrimination remains a structural and institutional hurdle that affects the majority of Roma** in the Republic of North Macedonia.

52 UNICEF, 2016, *Inclusion of all Roma in the Health Insurance system*.

53 Andrea Spital'szky, *Roma in the Republic of Macedonia: Challenges and Inequalities in Housing, Education and Health*. British Library ISBN 978-1-912938-03-2, 2018.

54 Romalítico, 2018, *Inclusion of Roma after the Decade of Roma – Current situation and challenges*, For the necessity of the ombudsman.

✿ Access to information and services

Health institutions are aware that the frequent amendments to the Law regulation, irregular implementation of the legislation, inappropriate and untimely informing of Roma about changes to the process for exercising their rights as well as the complex administrative procedures are just some of the problems that Roma usually face when attempting to access their the right to health services. The quarterly report by the Ministry of Health in 2018 reported that a total of 12 mediators were hired: 8 women and 4 men.⁵⁵ The Roma Health Mediators Programme engages Roma as mediators between the Roma community and health institutions. They focus on a wide range of support but mainly on ensuring access to health services for the Roma community, ensuring personal documentation, health insurance, immunisation and social protection. Health mediators operate in eight municipalities and cover different geographical areas. Institutions and NGOs report that the trust that the health mediators have established with the Roma community makes it a necessity to expand their coverage in order to cover the entire territory. The Roma community recognises health mediators as people that they can reach out to for assistance when accessing services and information related to their health status.

Access to medicine

✿ Medicine without participation

Apart from the prevalence of poverty in the Roma community, the problem of the availability of medicine further complicates the health situation of Roma. The unemployment rate for Roma is high and finance irregular and thus their ability to acquire medication for chronic diseases or other illnesses is often limited. Roma frequently encounter challenges when buying medications that are on the positive list in the pharmacies closest to Roma communities.

Many of the NGOs that work in the field of health report that only 13.6 per cent of Roma can acquire medicine on the positive list through the health fund compared to 38.3 per cent of the non-Roma population. In cases where Roma fail to acquire the medicine on time or the medication is too expensive, they ask for alternative medication that can be acquired 'on prescription' and therefore free of charge. This means that they do not undergo medical treatment, which only deepens their agony. It is therefore necessary to facilitate ways for Roma to obtain the necessary medicines, primarily in terms of payment. Yet medicine remains limited to all citizens and resources are usually dispersed on a first come first served basis.

55 Albert Memeti, Elvis Shakjiri and Marija Sulejmanova, 2018, *Shadow Report on the Implementation of the Strategy for Roma in North Macedonia*, Romalítico, 2018.



Key mainstream documents and the identification of measures

The Programme of the Government 2017–2020, the Health Strategy of the Republic of Macedonia – 2020, the Strategy for Regional Development of the Republic of Macedonia 2009–2019, the Law on Unregistered Persons, the Law on Healthcare, the Law on Health Insurance and Law on Patient Protection.

Measures 1. Access to medicine and Abolishing co-payments for hospital treatment

According to the strategic priorities of the Government contained in the Programme of the Government, the quality of healthcare is one of the most important spheres for the current government.⁵⁶ Moreover, as part of its commitments the Government will immediately begin preparation for the introduction of free hospital treatment for all.⁵⁷ **Therefore, the Government will propose to abolishment of co-payments for hospital treatment.**

In addition, within the Programme of the Government there is the proposal that the availability of medicine will not be an issue. Even after every 15th of each month, the prescribed medications can be found in the pharmacies. The Government will create a system to tackle the issue of the misuse of medication and prescriptions so that the quota will satisfy the need. In this document, the Government also focuses on preventing the outflow of medical staff from the public health service. The salaries of medical staff are projected to rise. The Government will also fight against the rate of morbidity, disability and premature mortality caused by the most common chronic non-communicable diseases and work to ensure access to a gynaecologist for every woman.

Impact on Roma

The measures proposed in the Programme of the Government from 2017 to 2020 have had an impact on the health status of Roma. The commitment to provide free hospital treatment for all provides a benefit to insured Roma. The exemption from these costs would guarantee that Roma would seek hospital treatment once they know that the service is free of charge. In addition, the availability of medication has also had an impact on Roma as well as all citizens of the Republic of North Macedonia. The availability of medication has been identified as a huge issue for patients, especially those without regular income like Roma. It will be possible to purchase medication regardless of the date each month.

The Government also understands the migration phenomenon and intends to encourage medical staff to remain in the Republic of North Macedonia. This would have an impact on Roma because a lot of Roma medical staff and the Roma health mediators would be employed on a regular basis. The Government also understands that the morbidity rate is alarming and that the premature

mortality rate caused by the most common chronic non-communicable diseases is an issue that also needs addressing. Roma have the highest rate of child morbidity and their average life expectancy is shorter than the rest of the population. The fact that the Government will tackle these issues will have a visible impact on the Roma community. The commitment to ensure access to a gynaecologist for every woman will also have a major impact on the health status of Roma women, given the identified lack of access to gynaecological services for Roma women.

Measure 2. Health Strategy of the Republic of North Macedonia – 2020

This strategy was adopted in 2007 with the vision to achieve its goals by 2020. There are around 21 targets characterised by the mainstream measure covering the health status of the population. Among the targets that should be met by 2020 are measures that can have an impact on the Roma community in the economy. These include the target to achieve better health and a healthy start in life for newborn babies, infants and preschool children and the enjoyment of their full health potential and an active social role for the elderly, and achieving a reduction in morbidity and premature mortality caused by major chronic diseases.

Impact on Roma

Many of the measures envisioned in this strategy had a deadline up until 2010 and only a few with the deadline 2020. It is hard to assess the impact that the measures for 2010 have had on the Roma community because of the lack of accurate disaggregated data in the healthcare system. As for the measures with the deadline 2020, the impact on Roma include better health and a healthy start in life for new born babies, infants and preschool children and the enjoyment of full health potential and an active social role for the elderly and achieving a reduction in morbidity and premature mortality caused by major chronic diseases. The impact on Roma is expected to cover the most vulnerable groups in the community by tackling infant morbidity and ensuring full health potential for the elderly.

Measure 3. Strategy for Regional Development of the Republic of North Macedonia 2009–2019

One of the priorities of the Strategy for Regional Development 2009–2019⁵⁸ was to increase the level of social development in the planned regions. A specific measure indicated as a priority was to ensure full coverage of health insurance for the population.⁵⁹ This strategy also envisages improving access to and the quality of primary care for infants and young children and the elderly. In addition, the Government planned to restructure primary healthcare of the population in line with demographic changes in the regions and municipalities so that the entire territory was covered.⁶⁰ The last measure that the Government planned to implement was an improvement in

⁵⁶ Government of the Republic of North Macedonia, *Quality of Health*, 2019. Accessible from <http://bit.ly/38QTnsl>.

⁵⁷ Ibid.

⁵⁸ Strategy for the Regional Development of the Republic of Macedonia 2009–2019, Official Gazette of the Republic of Macedonia, No. 119 from 30.09.2009.

⁵⁹ Ibid.

⁶⁰ Ibid.



the quality of life in smaller municipalities and rural areas by ensuring greater coverage of health and social services and cultural events.

Impact on Roma

Although the Republic of North Macedonia has a high level of insurance coverage, Roma continue to lag behind the rate for the general population. This document should impact Roma and ensure full coverage of health insurance of the Roma community. The improvement in access to and the quality of primary healthcare for infants, young children and the elderly will also have an impact on Roma because the most vulnerable groups of the community are infants, young children and elderly Roma. Infant morbidity among Roma is the highest whereas the life expectancy of Roma is the shortest and therefore the initiative to improve access to and the quality of primary healthcare will lead to the betterment of Roma lives. The process for restructuring healthcare in accordance with the municipalities is required and will have an impact on Roma because their access to healthcare services is limited and investment in smaller communities will ensure that Roma will gain access to health services close to their community.

Measure 4. Law on Unregistered Persons

The Ministry of Labour and Social Policy has proposed a new Law that will regulate the status of people without personal documentation. The Law has been approved by the Government, which will forward it to the Parliament of Republic of North Macedonia for adoption.⁶¹ **The purpose of this proposed Law is to ensure that people without personal documentation will receive special civil status in order for them to exercise their right to education, healthcare, social protection and employment with compulsory social insurance in accordance with the Law.** This Law has been recent proposed by the NGOs together with the Ministry for Labour and Social Policy.⁶² This will not resolve the situation for these people but it is a step forward in terms of their integration into the system. It is expected that the Government will find a solution on how to deal with all of the cases, which involve approximately 650 people according to evidence collected by Roma NGOs.⁶³

Impact on Roma

If the Parliament passes this Law then it will have a huge impact on Roma in terms of the delivery of services connected to employment, healthcare, education and social insurance. Thus, this target group will have the opportunity to join the system and gain access to health insurance and healthcare services. Roma NGOs estimate that around 90 per cent of these people are of Roma origin. Although these cases are of a different nature and require different methods to deal with them, the NGOs and the Ministry remain firm on the position of achieving full integration for this group. If the parliament passes this Law then the health insurance rate of Roma will decrease, the

61 Government of the Republic of North Macedonia, Conclusions of the 164th session of the Government, 2019. Accessible from <http://bit.ly/2Z3PXxS>.

62 Ibid.

63 Around 650 'phantoms' live in Macedonia – MKD.mk. Accessible from <http://bit.ly/2Z3ritx>.

number of immunised Roma children will increase and this group will receive healthcare services and medication.

Measure 5. Law on Healthcare

This Law is one of the fundamental laws relating to the health system. It ensures that the health system is fully functional and regulated at the central and local level. Although many of the articles can contribute to the health status of Roma, several tackle the key priorities identified in this Law. They include **Article 3**, the right to healthcare, **Article 9**, the principle of equality, **Article 10**, the principle of inclusiveness and **Article 16**, ensuring exercise of the guaranteed rights, identified needs and interests of the Republic of North Macedonia.⁶⁴ The Law on Healthcare guarantees these articles and their full implementation would have a huge impact on the health status of Roma.

Impact on Roma

Implemented of this Law and respect for all of the articles contained in the Law would improve the health status of the Roma community. The above-mentioned articles are among many from the Law that can have a positive impact on Roma health if the institutions respect them.

The Article on the right to health foresees that, “Everyone has the right to healthcare and the obligation to care for and protect and promote his or her health in accordance with this and other laws.”⁶⁵

Article 9 has been identified as one of the most important in the case of Roma. The principle of equality is very important, especially in relation to discrimination and Antigypsyism. This article prohibits discrimination in the provision of healthcare on the grounds of race, sex, age, nationality, origin, religion, political or other belief, property, culture, language, type of disease or mental or physical disability.⁶⁶ If this article were respected then Roma would not be subjected as often to targeted discrimination, they would enjoy the same treatment as all other patients and their level of trust toward health institutions would increase.

Article 10 is in line with the previous article. Article 10 envisages the inclusion of all who require treatment in the health system with the aim to provide and promote healthcare services at all levels and for all citizens. Article 16 covering the exercise of guaranteed rights should be respected if the expected impact on Roma health is to be achieved. This article is especially relevant when discussing the level of trust the Roma community has in the institutions and services that can protect their health status.

64 Law on Healthcare, Official Gazette of the Republic of Macedonia, No. 37/16.

65 Ibid.

66 Ibid.



Measure 6. Law on Health Insurance

This Law is also considered one of the main laws that regulate the status of citizens, the provision the types of health insurance, basic and advanced healthcare services and the rights and the obligations of insured citizens.⁶⁷ In this Law, like many laws that correspond to the needs of Roma, there are several articles of importance to the Roma community. **Article 2 of the Law on Health Insurance states that health insurance is compulsory for all citizens of the country.**⁶⁸ In addition, articles 2, 5, 9 and 9a regulate basic health services for insured citizens.⁶⁹

Impact on Roma

Considering that the Roma community has a lower level of health insurance, the implementation of this Law would ensure that Roma gain access to health insurance. Among many from the Law, the above-mentioned articles are identified as having the potential to make an impact on Roma health if the relevant institutions respected them. Article 2 envisages that health insurance should be mandatory and voluntary.

Mandatory health insurance is established for all citizens of the Republic of North Macedonia to ensure that the population receives health services and cash benefits in accordance with the principles of comprehensiveness, solidarity, equality and the effective use of funds under the conditions stipulated by this Law. This article can have an impact on the Roma community because mandatory health insurance is an entitlement of all citizens and this includes Roma.

Article 5 of this Law stipulates all of the profiles that can be insured. The details of this article cover almost all possible profiles related to Roma; however, Roma often lack information on health insurance. Articles 9 and 9a describe the types of health services provided under mandatory health insurance. These details cover many of the services that Roma are either denied or expected to pay for. If health workers respect the Roma community as insured clients then the services anticipated in this Law will be provided to them.

Measure 7. Law on Patient Protection

This Law regulates the protection of patient rights in relation to healthcare. It covers the duties of health institutions, health workers and associates, municipalities and the Health Insurance Fund in relation to the promotion and protection of patient rights, the procedure for protection of patient rights and oversight over enforcement of the Law.⁷⁰ **This Law is of great importance to Roma because it explains the options that patients have when their rights are not respected.**

Among many of the articles, the most important in respect to Roma are articles 2 and 3, which cover the principles of protection of patient rights, articles 5 and 6, which cover the patient right to

⁶⁷ Law on Health Insurance, Official Gazette of the Republic of Macedonia, No. 142/16.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Law on Patient Protection, Official Gazette of the Republic of Macedonia, No. 150/15.

participate in the decision-making process, Article 31, which covers the duties of health institutions and health workers and associates and Article 39, which covers the municipal commissions for promotion of the rights of patients.

Impact on Roma

This Law includes much useful information for both health workers and the Roma community. The main impact that this Law can have on the Roma community is to improve its access to information on healthcare services and patient rights and obligations. Articles 2 and 3 provide the more detail on the protection of patient rights. This is intended to ensure the provision of quality and continuous healthcare in accordance with current achievements in health and medicine within the framework of the healthcare and health insurance system and appropriate to the individual needs of patients.

Articles 5 and 6 provide further information on the rights of patients provided for in this Law. This includes the prohibition of discrimination on the grounds of sex, race, colour, language, religion, political or other opinion, social origin, belonging to a minority and material position as well as origin at birth, sexual orientation or any other status. These articles are important because discrimination is prohibited under this Law and Roma are often discriminated against.

Articles 31 and 32 explain the duties of health institutions and health workers and associates. These articles provide more detail on the obligations of healthcare institutions in terms of what they are expected to provide to patients and explains the conditions for exercising the rights stipulated in this Law. Any form of torture, inhumane or degrading treatment or punishment of patients is prohibited along with discrimination against patients. These articles explicitly show that discrimination is prohibited and that degrading treatment is not allowed or tolerated. If these provisions were respected then the Roma community would increase its use of health institutions and inquire more about healthcare services. Healthcare institutions and health workers should be more sensitive toward patients and accept the fact that each patient is equally important.

Recommendations

In order to have a fully functional and mainstreamed society as well as health system the Government and the relevant health institutions should consider the following recommendations.

- ✿ The relevant institutions should apply sanctions on health professionals who act unequally when providing health services to Roma and non-Roma. This would increase the level of trust among Roma and the attitude among professionals toward vulnerable and the marginalised categories of the population. As identified above, people without personal documentation suffer the most among Roma. Temporary solutions do not provide for the full enjoyment of the right to health and therefore the normative acts on the provision of health insurance for persons without personal documentation should be adoption in line with the proposal for the new Law provided by the Ministry for Labour and Social Policy.



- ✿ As a successful result in the health system, Roma health mediators are the best system for connecting with the Roma community. It is a project-based service and therefore the Government should systematise and expand the Programme of Roma Health Mediators in all cities.
- ✿ Since the monitoring and evaluation of measures related to Roma lack data the Government should instigate measures to ensure disaggregated data on Roma in order to establish a baseline from which to monitor the situation of Roma as well as track progress in relation to indicators and measures.
- ✿ As provided for in the above-mentioned laws, the Government together with the Ministry of Health and other stakeholders must ensure full respect for these laws in order to ensure improvement of the health status of the Roma community in the Republic of North Macedonia.

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