

**TO: THE UN COMMITTEE FOR PROTECTION OF THE RIGHTS OF CHILD**

**ALTERNATIVE REPORT ON THE IMPLEMENTATION  
OF THE CONVENTION ON THE RIGHTS OF THE  
CHILD IN THE REPUBLIC OF MACEDONIA**

***SEGMENTS OF INTEREST:***

GENERAL MEASURES AND PRINCIPLES OF THE CONVENTION

THE RIGHT OF PARTICIPATION OF CHILDREN IN DECISION MAKING IN  
EDUCATION AND LOCAL LIFE

QUALITY AND PRACTICES OF EDUCATION

The report is submitted by:  
**COALITION OF YOUTH ORGANIZATIONS "SEGA"**

Financial support for preparation of the report:  
**PESTALOZZI CHILDREN'S FOUNDATION**

Skopje, October 2009

# CONTENT OF THE REPORT

SUMMARY OF THE REPORT .....	3
A. Introduction.....	3
B. Conclusions and recommendations .....	4
1. Data gathering and analysis .....	10
2. Results from the analysis disaggregated by segments of interest.....	11
2.1 General measures of implementation (article 4, 42 and 44) .....	11
2.2 General principles .....	17
2.3 Civil rights and freedoms .....	21
2.4 Education, leisure and cultural activities (article 28 и 29).....	24
3. Annexes .....	30
Annex 1 – Detailed data about the respondents included in the field research .....	30
Annex 2 – List of analyzed laws and documents.....	33
Annex 3 – List of interviewed key representatives in the area of protection of children’s rights.....	37
Annex 4 – About the Coalition SEGA.....	38
Annex 5 - About the research team.....	39

## List of abbreviations

Report -	Alternative report on the implementation of the Convention on the rights of the child in the Republic of Macedonia
Coalition SEGA -	Coalition of youth organizations SEGA
Convention -	Convention on the Rights of the Child
Commission -	National Commission for Protection of the Rights of Children
MES -	Ministry of Education and Science
MFA -	Ministry of Foreign Affairs
NAP -	National Action Plan on the rights of children in the Republic of Macedonia
NPDE -	National Program for Development of Education-
NGOs -	Non – governmental organizations
USLG –	Units of the Local Self Government

# SUMMARY OF THE REPORT

## *A. Introduction*

The Coalition of youth organizations SEGA (hereafter Coalition SEGA) submits this Alternative report on the implementation of the Convention on the rights of the child in the Republic of Macedonia (hereafter Report) to the UN Committee for Protection on the Rights of the Child (hereafter Committee). The aim of the Report is to provide an objective overview on the implementation of the Convention on the rights of the child (hereafter Convention) on the local and national level, as well as on the acting upon the recommendations of the Committee from February 2000.

The Report elaborates the following segments of the Convention:

- **General measures** (adoption and amending of national legislature; existence and functioning of monitoring/coordinative structures for implementation of the Convention on national and local level; cooperation of the state with the NGOs and inter-agency cooperation, distribution of the Convention)
- **General principles** (the right to have a views heard and given due weight, the right to participation of children in decision-making in education and local life)
- **Civil rights and freedoms** (non-discrimination, right to association and access to information on the children's rights)
- **Education, leisure and cultural activities** (legislation, quality and practices in education, non - formal education and intercultural education)

The selection of the segments of interest is made on the basis of previous problem analysis as well the experience and expertise of the Coalition SEGA which works on advocacy and lobbying towards improving the situation of children and young people in the Republic of Macedonia.<sup>1</sup> In the course of its development, Coalition SEGA proliferated itself in specific area which concern the children and young people. The focus of activities is placed upon: youth policy-making, realization and practicing of the right to participation and the right to association of children and young people and direct support to children and young people. The Coalition SEGA understood through its field activities and work with children and young people that the right to participation and the right to association of children and young people is poorly known and poorly implemented by both adults and by institutions, on the one hand, and by children and young people themselves as the bearers of this right, on the other. Moreover, the practice showed that, for the most part, no proactive policy for working with children and young people exists - primarily not on the local level.

Considering this context, the Coalition SEGA in May – September 2009 commenced an initiative and undertook in-depth research with the financial support from Pestalozzi Children's Foundation. Two key documents were drafted on the basis of the research: Analysis on the state of implementation of the children's rights in the Republic of Macedonia (focus on the right to participation, right to association and right to quality of education) and this Report on the implementation of the Convention which is based on the findings of the completed analysis.

---

<sup>1</sup> A more detailed information on the Coalition SEGA is provided in Annex 4

Apart from the support provided by Pestalozzi Foundation, the research was undertaken with logistical support from the member organizations of Coalition SEGA<sup>2</sup>, participation of children surveyors in the implementation of the survey and expert support by the team of researchers engaged in implementation of the research. On the basis of a public call, the persons responsible for the mapping, the surveyors and the facilitators of the focus groups were recruited from within the member organizations. At the same time, the members and the Coalition's regional offices organized the cooperation with the schools, the contacts with the local institutions and identified and organized the parents and the children participants in the focus groups. The preparation of the methodology and the research instruments, as well as the overall analysis, and the writing of the analytical documents were undertaken by a team of three external consultants.<sup>3</sup> In the process of preparation of the Report the following were included<sup>4</sup>: 1160 children, 15 units of local self government (ULSG), 15 Centers for social work (from 14 cities), 105 primary and secondary schools, 44 non – governmental organizations (NGOs) (from 14 cities), 5 Offices of the Ministry of Education and Science (MES), 4 deputies to the Ombudsman and 59 parents (from 14 cities).

## ***B. Conclusions and recommendations***

### ***Conclusions***

#### **1. General measures**

- We agree with the information provided in the country report that progress is achieved in improving the laws, adoption and amendments of bylaws and national strategies which envisage incorporation of the principles and the provisions of the Convention in the national legal framework. Nevertheless, within the scope of the undertaken improvements there is no equal treatment of all provisions of the Convention. Hence, there are no legal provisions which regulate the participation on children in decision-making in the sphere of education and local life (participation in the decision-making in the municipalities). At the same time, and notwithstanding the improvements, we are faced with a very weak implementation of these legal solutions in practice.
- No integrated system of protection of children's rights exists on the national and local level. The established National Commission for the protection of the rights of children (hereafter the Commission) did not function in continuity. There are no reports on its work which are accessible to the public and which would demonstrate the activities of the Commission for the implementation of the National Action Plan on the rights of children in the Republic of Macedonia (NAP).
- There is no coordinated and systematic implementation of the NAP. The institutions at the local level are not sufficiently informed about the existence of the plan and they do not use it as a basis for planning of activities for protection of children's rights. There is no defined system on monitoring the implementation of the plan. The plan is not comprehensive; it is positioned at the level of a strategy and not at the level of an Action plan. An implementation structure is lacking on the local and national level which would implement and monitor the plan on a systematic way. Only 6 out of the 15 municipalities included in the mapping appointed a commission or a

---

<sup>2</sup> Zona - Kavadarci, Youth Council - Ohrid, Youth Council - Prilep, Fokus – Resen, Forum of youth – Bitola, Semper – Bitola, Students' Parliament, University St. Kiril and Metodij, Youth Center for conflict resolution and prevention- Skopje, Youth club – Shtip, Institute for community development – Tetovo, Multikultura – Tetovo, Young Farmers' Network – Skopje, Interkultura – Skopje

<sup>3</sup> A short description of the team expertise is provided in Annex 5

<sup>4</sup> Breakdown of the respondents included in the research is provided in Annex 1

responsible person for protection of the rights of children. Concomitantly, only 6 of the 15 municipalities included in the research prepared local action plans on implementation of the Convention.

- The institutions on local level state that they cooperate among themselves, but it could be concluded that there is a very low level of coordination among them, according to the received data from the research, in view of their obligations from implementation of the Convention as well as in view of the individual activities undertaken on their part. Schools are among the institutions on the local level with which all other institutions cooperate the most. In practice, the cooperation between the state and the non-governmental organizations (NGOs) is carried out mainly upon the initiative of the NGOs and in the absence of a state policy which would regulate the cooperation according to defined criteria.
- The state does not have an established system for regular distribution of the Convention to children and to institutions. Although most of the institutions declared that they are familiar with the content of the Convention, consulting of the Convention is not a regular practice in their everyday work. Although children are educated on children's rights within the frame of formal and non - formal education, only 31% of children are aware of what the Convention is, while 80% have not seen it, or are not certain whether they have seen the Convention. 71% of children say that they are partially informed of their rights. The parents identify the Convention as international agreement or document that regulates the children rights, but most of them have never seen it.
- Apart from the Commission, which is the coordinative mechanism, there is no other technical body comprised of experts in the area of children's rights. The Unit for Children's Rights in the Directorate for Development and Promotion of Education in the Languages of the Communities has a marginal role in the protection of children's rights, without adequate capacity and positioning in the hierarchy of the Ministry of Education and Science (MES).

## 2. General principles

- The implementation of the right to participation of children in education and local community almost does not exist in practice. The institutions claim that they have mechanisms through which they request the opinion of children and they include children in decision-making, but they rarely provide examples of how they do this. The provided examples relate to the legal obligations to request the opinion from children or to request opinion on irrelevant issues such as excursions or celebrations. The surveyed children say that they do not take decisions in the school. Decisions are taken by parents and teachers in a joint or individual manner. According to the Law on Primary Education, there is no legal possibility for children to participate in decision-making on grades; this could be done by parents. The children are not aware of mechanisms for their participation in decision-making in schools and therefore most of them state that nobody represents them in the school; they represent themselves in most of the cases. Furthermore, these mechanisms are not legally defined. At the same time, children know little about the significance and the role of students and school communities, and they know even less about their role in these communities. 41% of the children don't know the decision making process in the municipality, or they believe that this is done by adults (35%). The Law on Local Self-government does not regulate the question of participation of children in taking of decisions which are important for them.

### 3. Civil rights and freedoms

- No special Law on protection against discrimination exists in the Republic of Macedonia yet, while in the laws in area of education there is only a general prohibition on all kinds of discrimination. This doesn't allow the defining of the forms of discrimination and their proper recognition. Moreover, in the absence of such a law there are also no procedures for actions to be taken in cases of discrimination. According to the survey, most of the children have felt discriminated at least once or twice and the most common reasons for discrimination mentioned by them is their grade point average, the material status and the ethnic belonging.
- According to the existing Law on Citizens' Associations and Foundations, children's right to gathering in associations is limited. According to the provisions of the law, the children cannot be founders of an association. 81% of children say that children should associate in organizations and that they should work on the protection of children's rights, yet most of them are not members in such organizations. Although the institutions on the local level support the association of children, they are still not proactive in order to encourage children to associate.
- Children rarely receive information about their rights in a systematic and organized manner. In most cases they are informed about their rights through TV and radio, which means that the institutions do not have a leading role in informing although they have the main responsibility to inform children. Although legal solutions on protection of children from contents which could have a negative effect over their psychological and intellectual development are adopted, in practice, media rarely respects the guidelines on protection of children from these kinds of contents.

### 4. Education, leisure and cultural activities

- In the area of improving the quality of education, positive legal amendments are undertaken in the legislature regulating primary and secondary education. The process of education reforms started to be implemented with the adoption of the National Programme for Development of Education in 2006 (NPDE) and it more time is required in order to review the effects of reforms. The reforms refer to the capacity building and further training of the teachers, changes in the educational programmes, improvement of the working conditions, and modernization of lectures. Conversely, the public is witnessing undertaking of rushed legal solutions such as the provisions for introduction of religious education in the schools as well as the external evaluation, both of which were terminated by the Constitutional court. The experiences from the implementation of reforms without the necessary in-depth research of the long-term influences and their feasibility demonstrate that insufficient attention is paid to the feasibility of reforms in practice i.e. to the extent to which the necessary preconditions for the implementation of a certain reforms are in place.
- The quality of education shown through the knowledge gained by students, the creativity of teachers and the working conditions is not on satisfactory level. The quality of teachers as well as the quality of the curriculum in practice is mostly evaluated based on grades of students, although legal amendments envisage the application of self-evaluation in the school, preparation of development plans aimed to improve the quality of education and integral evaluation of the school on the part of the State Educational Inspectorate. In practice, the criteria according to which the grading of the teaching staff and the grading of possibilities for their advancing are undertaken are incompatible. While the advancing to the next degree is made on the basis of a commission's opinion, the objectivity and professionalism of teachers

are evaluated mainly on the basis of external evaluation of accomplishments of the students' success (in comparison to the grades given by the teacher). Hence, the quality of teaching is again aligned with the grades of students.

- Although in the Law on Primary and Secondary Education and in national documents in this area the focus is placed on promotion of multiculturalism and inter-culturalism, in practice, no tools are offered for their promotion and for helping children to learn more about their fellow students which have a different ethnic belonging or religion.
- The non - formal types of education are legally defined only for adults and not for children. Although children are satisfied with the knowledge they obtain through non - formal education provided by the NGOs, in practice, the schools are not proactive in ensuring the non - formal education for children and in most cases they appear as partners of the NGOs initiatives'. The schools do not have a systematic approach for regular inclusion of children in non - formal education.

## ***Recommendations***

### **1. General measures**

- We recommend review of the work and the role of the Commission. It is necessary to review the existing and to define new criteria for selection of members of the Commission and to elect the new membership according to the same criteria. In the course of defining the criteria for membership, the possibilities for including a larger number of relevant citizen's organizations in the work of the Commission should be taken into account and they would have a consultative status in decision – making as well as a role of co-managerial structures in the implementation of such decisions. At the same time, the procedures which will ensure continuity in the work of the Commission should be defined as well as the regular reporting to the public about the undertaken activities.
- The Commission in cooperation with the Ministry of Local Self-Government, the Ministry of Labor and Social Policy, the Ministry of education and science (MES) the citizen's organizations and international donors should strengthen the implementation of legal provisions on the local level through the mandatory establishment of Commissions for the protection of children's rights within the frames of the Units of Self-Government (ULSG) and through the preparation of local action plans for protection of children's rights in those municipalities in which they do not exist. At the same time, consistency with other policy documents should be ensured.
- To revise the NAP and to envisage clear responsibility of the institutions within its framework for implementation of concrete activities from the plan in accordance with their competence. To take into account the opinions, the undertaken analyses and the experiences of citizen's associations and international donors in the area of protection of children's rights in the revision of the Plan. The Plan should contain priorities and concrete accomplishments on annual level. In that sense, the Commission should prepare a system for monitoring and evaluation of the implementation of the Plan on the national and local level. The system should contain clearly determined indicators through which achievements would be measured.
- The ULSG should be the accountable for the policy on protection of children's rights on the local level and in that sense they should coordinate the realization of the local action plans. Bearing in mind the central role of the educational institutions in the implementation of such a

policy, it is recommendable that they should be the core of all activities for implementation of local action plans for children rights in which other competent institutions and civil organizations would be included.

- The state should postulate the Convention as mandatory literature and should distribute it together with the school textbooks for the corresponding grade in which it is subject of learning. The learning of children's rights should focus on individual learning of the substance of each right and the manner of its realization. These types of educational activities should be delivered to the parents, the teachers and the municipal administration.
- We recommend separation of the Unit for Children's Rights in the Directorate for Development and Promotion of Education in the Languages of the Communities as an autonomous body within the frames of the MES. However, special attention should be devoted to the strengthening of the role of this Unit as a competent body comprised of experts in the area of children's rights.

## 2. General principles

- The state should regulate the participation of children in decision-making in education and in the local life within the frames of the Law on Primary Education, the Law on Secondary Education and the Law on Local Self-Government. In these laws, the segments in which there is a need of mandatory inclusion of children, the mechanisms for participation of children and the criteria and functioning of those mechanisms should be defined. The potential forms of participation of children include the establishment of students' organizations, school communities, children's and young people's councils, children's parliaments and youth centers.
- In view of the practical implementation of the right to participation of children in decision-making in education and local life, we recommend that the schools in cooperation with citizens associations undertake activities for training and mentorship of children and teachers for the establishment and functioning of the mechanisms of participation.

## 3. Civil rights and freedoms

- We recommend speedy adoption of the Law on protection against discrimination, which would contain special provisions on defining the forms of discrimination of children and the mechanisms for protection of children against discrimination.
- To include legal provisions in the Law on Citizens' Associations and Foundations that would allow for expanding of the possibilities for establishment of children's associations. We recommend legally stipulating the forms of association of children in schools, as well as the outlining of the mechanisms and procedures for functioning of such associations.
- On the level of the Broadcasting Council, we recommend introduction of control mechanisms for the contents put forward by the media, and which are accessible to children as well as a system on regular monitoring of the media programs. Citizens associations should be activated in the course of monitoring of these contents.

## 4. Education, leisure and cultural activities

- With the aim of improving the quality of the education, we recommend continuous undertaking of infrastructural measures in coordination between the state, ULSG and the schools. This measure is recommended as a priority goal in order to ensure the necessary working

conditions in all schools, and afterwards to undertake the measures such as introducing IT in the teaching as well the use of creative methods.

- We suggest a proactive state policy with the aim of decreasing the number of students in classes and in that sense we recommend that in the Law on Primary and Secondary Education the upper limit of students in the class should be decreased from 34 to 30.
- During preparation of certain education reform it is necessary to undertake in-depth research and analysis aiming to identify the viability of the proposed solutions in practice and its long - term influence
- To prepare and implement a plan for ensuring the appropriate literature and teaching staff with the aim of allowing the representatives of the ethnic communities which do not learn in their mother language, to start learning on their mother language or at least to be able to choose to learn in that language, as an optional subject. However, priority in providing the literature and the staff should be given to those schools in which the number of students from certain ethnic communities (for ex. Roma, Turks and Vlachs) is bigger in comparison to other schools.
- The Bureau for development of Education should envisage the incorporation of tools for the promotion of multiculturalism and inter-culturalism in order to teach students comprehensively of their fellow students which are with a different ethnic or religious background. Cooperation with citizen's organizations for implementation of this recommendation is advised.
- To regulate non - formal education for children in the frame of the Law on Primary and Secondary Education. To task the schools with the obligation for regular incorporation of such activities in the frame of their annual programmes and to envisage the manner of their realization.

## 1. Data gathering and analysis

The research that was undertaken by Coalition SEGA in cooperation with the research team included a field component and an analysis of the existing documentation and the legislation related to the areas of interest. The research subject is presented in more detail through the areas of interest listed as follows:

- General measures of implementation:
  - Legislation (existence and implementation of different national laws and bylaws related to the Convention)
  - Structures for implementation of the Convention, coordination/monitoring (work of the National Commission for protection of children's rights, process on the establishment and functioning of local municipal commissions for implementation of the Convention and the degree of the implementation of the National Plan on children's rights)
  - Cooperation with the NGO (the efforts of the state for cooperating with the NGOs in the implementation of the Convention; cooperation with UNICEF, international cooperation with institutions).
  - Distribution of the Convention (knowledge of the Convention and children's rights, efforts of the state for distribution of the Convention)
- General principles:
  - The right to have a views heard and given due weight (procedures, practices and mechanisms for free expression of opinion, mechanisms for gathering opinion, incorporation of the opinion of children in different documents – focus on education and local life)
- Civil rights and freedoms:
  - Within the frames of articles 13, 14, 15 the access to information was particularly analyzed in particular to children's rights, the level of data accessible to children
  - The right on free association of children in the country and the existing mechanisms for free association which are placed at disposal by the state – focus on education
  - Non-discrimination (article 2)
- Education, leisure and cultural activities:
  - General practices and quality of education
  - Non - formal education (representation, procedures for implementation and recognition on the part of the state and of the target group of children)
  - Inter-cultural dimension of education

The fieldwork component included six different approaches/methods on data gathering, i.e.:

- Survey with a representative sample of children at the age between 13 – 17
- Mapping of local institutions which work with children (NGOs, schools, units of the local self-government, centers for social work, deputy Ombudsman and Regional Offices of the MES)
- 5 regional focus groups of children at the age between 10-12
- 5 regional focus groups of parents
- Interviews with key decision-makers related to the areas of research on the national level
- Analysis of the existing documentation in the areas of interest

With the aim of ensuring participation of children in the preparation of this report, the surveying of children from the sample was completed by children that were trained on how to implement the survey. The mapping of institutions and realization of focus groups was undertaken by mappers and facilitators that were also trained. The preparation of the representative sample and the primary processing of surveys were completed by the Center for Research and Policy Making – CRPM in Skopje on the basis of criteria that included ethnic belonging, age and sex of children. The total number of participants included in the research is:

- 1082 surveyed children (statistical representative sample)
- 15 Local self-governments included in the mapping (from 14 cities)
- 15 Centers for social work (from 14 cities)
- 105 primary and secondary schools
- 44 Non-governmental organizations (from 14 cities)
- 5 Offices of the MES
- 4 deputy Ombudsmen
- 78 children included in the focus groups (from 5 cities, Skopje, Prilep, Tetovo, Ohrid and Stip)
- 59 parents (from 14 cities)

A questionnaire was prepared for the implementation of the survey, a special questionnaire was prepared for mapping of each institution, while guidelines were prepared for the focus groups and the analysis of documentation according to which the facilitators and the researchers gathered the necessary data. Interviews were additionally realized with representatives from the MES, UNICEF, Ministry of Foreign Affairs (MFA) and with the Deputy Ombudsman for children (Ombudsman).

## **2. Results from the analysis disaggregated by segments of interest**

### **2.1 General measures of implementation (article 4, 42 and 44)**

#### *2.1.1 Improved legislation– weak implementation*

1. Recommendation of the Committee – The Committee urges the State party to review its legislation and adopt appropriate amendments, to ensure conformity with the Convention. In addition, the Committee recommends that the State party make further efforts to ensure that the provisions and principles of the Convention are reflected, applied and enforced in State policy and administrative practices.

2. Information from the state report - The state provides information on the improvements made in the frame of laws, bylaws and national documents ( strategies, action plans, etc.), and these improvements are outlined in the appropriate segment of the Convention to which they correspond.

#### 3. Coalition SEGA research findings and information

P1. The presented data in the state report on the areas which are to the interest of our research (participation in education, in local life, quality of education, inter-cultural and informal education) are inline with the information provided by the Ombudsman on the undertaken legal improvements and as such we consider them to be realistically reflected. In our documentation analysis we conducted an overview of key legal amendments in the areas of the research interest and we present the same bellow, while in each of the separate area concretely we provide concrete information on what these amendments relate to.

P2. Overview of key amendments - Since 2000 amendments to the Law on Protection of Children were made in 2003, 2004, 2005 and twice in 2008<sup>5</sup>, as well as amendments in the Law on the Family from 1992, in 2004, twice in 2006 and in 2008 when the fair copy was prepared. In the Law on Social Protection from 2006 amendments were introduced in 2007 and twice in 2008. In accordance with the plans from the NAP in 2007 the Law on Juvenile Justice was adopted but its enforcement was delayed two times and it enters into force as late as July 2009. In the Law on Primary Education from 2002, amendments were made in 2004 and in 2008 a new Law on Primary Education which is enforced and the Law on Secondary Specialized Education from 2006.

P3. In the course of 2000-2008, the Ombudsman participates according to its official competence as well as based on own initiative with its suggestions in the amendments and addenda of the laws which relate to the protection of children's rights. According to the reports of the Ombudsman, it could be remarked that an important part of its suggestions that are related to ensuring equality for children, non-discrimination, equal access to education, etc. are taken into account and included in the laws. More precisely, according to the report of the Ombudsman on the implementation of the Convention and the protocols to the Convention from 2007, and upon an intervention by the Ombudsman, the following legal documents are amended:

- A Law on Protection of Children was adopted
- Amendments to the Law on Family in view of family violence and the right of the child to maintain personal contacts with the parent with whom he/she does not reside
- Amendments to the Law on Health Insurance are prepared in view of exemption from health expenses for services provided to children with special needs
- Amendments and to the Criminal Code are introduced with the envisaging of a separate criminal act "Trafficking in human beings" and alternative measures
- In the Law on Local Self-Government children on the street are envisaged as a separate social group which should receive protection
- Amendments to the Law on Social Protection were introduced in which children on the street are defined as a separate social group and the establishment of daily centers for children on the street is envisaged
- Amendments to the Law on prohibition of smoking are introduced which prohibit the advertisement of cigarettes
- Amendments to the Law on Catering Activity and the Law on Trade are introduced and they prohibit the advertisement of alcohol and sale of alcohol and cigarettes to children as well as prohibition for children to enter night bars.

P4. The intervention in the area of education mainly relates to the ensuring of free secondary and primary education, introduction of mandatory secondary education, improvement of the quality of the programme through interventions in the teaching contents and training of the teaching staff, greater inclusion of parents in decision-making in schools, focus on the multiethnic character of education and education in mother language.

P5. Our attitude is that the amendments in the legislation mainly contain the social aspect of child protection, they treat the child as the bearer of rights and obligations, but they still do not represent an integrated system of protection of children. Although legislation that points out to obligations of institutions on the national and local level for implementation of the Convention is put in place, implementation of legislation is still lacking in practice.

This is partly due to the absence of coordination among the institutions i.e. the inexistence of a strong National coordinative system for implementation of the Convention. Concomitantly, the level of knowledge of the representatives of the institutions on the manners of implementation of the

---

<sup>5</sup> The amendments of the mentioned laws will be outlined in more detail in the adequate chapter of the analysis

Convention and the utilization of good practices from other countries is lacking and it brings about only declarative pledges and will to implement the Convention. The findings within the frame of the concrete areas, which are outlined below in this Report, provide the perception of an absence of practical implementation of legislation.

### 2.1.2 Discontinuity in the functioning and an unclear role of the National Commission for the Protection of children's rights.

1. Recommendation of the Committee - The Committee recommends that the State party allocate principal responsibility for the coordination and evaluation of implementation of the Convention to a single mechanism.

2. Information from the state report – The State reports on the establishment of the National Commission for protection of children's rights in 2001 with the competence to prepare and monitor the NAP for children's rights. However, at the same time the report remarks that this Commission never started to function (pg. 3) in accordance with its role. Moreover, in order to make the Commission functional, the state raises the criteria for membership in the Commission at the level of State Secretaries as representatives from the Ministries.

### 3. Coalition SEGA research findings and information

P1. According to the Decision of the Government for establishment of a National Commission on children's rights in the Republic of Macedonia No. 33-5885/1, from 18 September, 2007 announced in the Official Gazette 126/2007, the National Commission was formed with the role of monitoring the work on children's rights in the Republic of Macedonia; to monitor in continuity the implementation of the NAP for children's rights and of the UN Convention on the Rights of the Child; upon request of the Government of the Republic of Macedonia prepares materials for thematic sessions which would be devoted to the progress in the areas that are related to children's rights and proposes annual priorities in accordance with the NAP for children's rights; and to monitor the implementation of the annual priorities on children's rights adopted on the part of the Government of the Republic of Macedonia.

P2. Information from an interview conducted with a representative of the MFA: According to the interview conducted with Mrs. Svetlana Geleva, Head of Sector for human rights in the MFA, the National Commission was established in 2001 as a working body with the role to prepare the NAP on children's rights. This Commission prepared the NAP, but afterwards the Commission did not continue its role, as it is mentioned in the state report. Hence, the Commission is reformed with the abovementioned Decision in 2007 and now acquires the role to monitor the implementation of the NAP on children's rights. The new composition of the Commission includes representatives from the Ministry of Justice, Ministry of Labor and Social Policy, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Culture, Ministry of Health, Ministry of Education and Agency on Youth and Sport at the level of State Councilors, as well as a representative from the State Statistical Office. The Commission also includes the First Children's Embassy Medjashi and the Children's Parliament in Macedonia, as well as NGOs with no voting rights. UNICEF provides a consultative role to the Commission. The selection criteria for deciding on the participating NGOs are unknown, regular sessions are held since its establishment, but the public does not have information on the performance of the Commission. The last report was prepared and submitted by the Commission to the Government on 30<sup>th</sup> of September, 2009.

P3. Having in mind that the Commission is mainly comprised of delegated representatives according to their position, the absence of expertise and capacity for both working in the area of children's rights as well as for monitoring the implementation of the NAP on children's rights could be observed. There is

insufficient information provided to the public, on the concrete work of the Commission. There is a limited incorporation of the civil sector in the work of the Commission.

### 2.1.3 Ineffective National Action Plan on children's rights

1. Recommendation of the Committee - The Committee recommends that the State party develop a cross-ministerial plan of action for the implementation of children's rights, pursue implementation of the various projects referred to in the State party's report and ensure coordination of policy making and implementation. The Committee further urges the State party to adopt a holistic child rights approach to implementing the Convention and to consider seeking technical assistance from UNICEF in this domain.

2. Information from the report of the state - According to the state report, a NAP on children's rights was adopted in March 2006 with the aim of defining the policy of the Republic of Macedonia for increased protection of children's rights, establishment of standards against discrimination, decreasing of children poverty and ensuring highest standards in education, health and social care. The document defines the short-term, medium-term and long-term goals for the 2006-2015 period. The plan contains the current achievements.

### 3. Coalition SEGA research findings and information

P1. According to our analysis, the NAP on children's rights is an extensive and comprehensive document that envisages global strategies and activities for the competent state institutions. The implementation of the plan could be monitored in several areas such as for example social protection, health and etc., but the analysis of the document shows that there is a lack of clear system in the document itself on the manner on which monitoring and evaluation of the implementation of the plan would be performed. In general, the bearers of the plan, i.e. the Ministries are determined, but there is no information on what kind of system is envisaged to be established for implementation of the plan and for monitoring of implementation. There are no data and reports with regard to the implementation of the plan because the National Commission for protection of children's rights, as the competent institution for its implementation, was not constantly functional. According to UNICEF report "Children in FYR Macedonia," the realization of this plan depends to a great extent on the budget reallocations which are made for protection of children's rights. The same report notes that there is no integrated system of protection of children and their rights in Macedonia. The protection of children is mainly organized with the aim of ensuring social protection.

### 2.1.4 Cooperation of the state with non-governmental organizations (NGOs) and cooperation among the institutions

1. Recommendation of the Committee - The Committee encourages the State party to increase its support for, and cooperation with, NGOs with regard to implementation of the Convention.

2. Information from the state report - In the state report, the cooperation of UNICEF with the ministries is mentioned as an example for cooperation with non-governmental organizations. An Action Plan for cooperation between the Government and UNICEF was signed in 2005 and it should be implemented in the 2005-2009 period. The Plan includes the following areas: social policy, monitoring and evaluation; prevention of HIV/AIDS and development and health of young people; children's protection; and early children's development and education. There is no information on cooperation with the NGOs.

### 3. Coalition SEGA research findings and information

P1. Cooperation of the state with UNICEF: According to the interview with Mr. Sheldon Yett, UNICEF Representative and Mr. Zoran Stojanov, UNICEF monitoring and evaluation Officer, the new Action Plan of the Programme for Cooperation between the Government and UNICEF was signed this year with goals for the 2010-2016 period. The plan includes the same areas that were included in the previous phase but there is a change in the methods through which activities would be implemented. In that sense, the intervention will be directed towards working with the institutions and with the National Commission for their education and strengthening of capacity for protection of children's rights as well as working with coalitions of civil organizations with the aim of ensuring the appropriate monitoring of the implementation of the Convention.

P2. Moreover, the Coalition SEGA extended its analysis in this part and it not only analyzed the cooperation of the state with the NGOs and with UNICEF, but also the mutual cooperation of institutions on the local level, as well as the cooperation of the deputy Ombudsman for children's rights with the state institutions and the NGOs.

P3. Cooperation of the deputy Ombudsman for children with the state institutions, the ministries and the NGOs: According to the reports of the Ombudsman, state institutions, although improving, are not marked with a high degree of cooperation with the Ombudsman. The Ombudsman reacts on the reticence of the MES and of the Ministry of Interior while most of the institutions such as the Bureau for Development of Education it reacts on the untimely deliberation or the lack of deliberation of data related to the ethnic belonging of employees. The Ombudsman notes that most of the provided recommendations are accepted by the institutions, but longer period is necessary to obtain a reaction. The Ombudsman has listed the cooperation with several NGOs as positive, but they are mainly the same each year and are represented in a small number. The Ombudsman does not have a practice of signing Memorandum of Understanding with the individual NGOs and considers that the association of NGOs could provide greater results on a given question in the area of children's rights instead of the individual work of NGOs. Having in mind the numerous visits and activities of the deputy Ombudsman for children's rights in the schools it could be remarked that the cooperation with them is on a high level.

P4. Findings of the mapping: According to the mapping, the local level institutions generally report on the existence of some kind of mutual cooperation on issues related to the Convention. Such kind of cooperation is not carried out in a planned and coordinated manner. The perception of institutions regarding those they have the highest degree of cooperation with usually does not match. For example, while municipalities declared that they mostly cooperate with schools, the schools, on the other hand, declared that they most cooperate with the Centers for social work. On the national level, local institutions mostly cooperate with the "mother institution." For example, the schools and the regional offices of the MES cooperate mostly with the MES. The offices of the deputy Ombudsman are an exception to this rule because they selected other institutions as well with whom they cooperate on the national level. It could be concluded from the analysis that the schools are underlined as the institutions with which all the other institutions cooperate the most.

P5. Findings from the focus groups with parents: Parents are poorly informed about the cooperation of the school with any other institution or organization. Only a small number of parents know the function and the fields of work of the deputy Ombudsman for children's rights. Those who were aware of this body found out about it from the media. Parents in Skopje considered that the Ombudsman is in charge only for adults and they did not know about the existence of a deputy Ombudsman for children's rights. Parents also do not have access to information for an eventual cooperation between the school and the Ombudsman.

### 2.1.5 Dissemination of the Convention

1. Recommendation of the Committee - the Committee urges the State party to make additional efforts to disseminate the Convention, to provide training on its provisions for professionals, including law officials, teachers and health workers, and to provide teaching on its provisions to the adult population. The Committee recommends that the State party consider seeking technical advice from UNICEF in this regard.

2. Information from the state report - the state does not provide information on the undertaken activities for the dissemination of the Convention in its report.

#### 3. Coalition SEGA research findings and information

P1. Having in mind the fact that in the past period the National Commission for protection of children's rights did not function in continuity; an impression could be obtained that activities for systematic information and distribution of the Convention are absent. Actually, the knowledge and informing about the Convention is due to some individual efforts of a few state or non-governmental institutions and in order to find out which institutions undertook such activities, when and on what concrete topics - a more detailed in-depth research is necessary.

P2. Information on the programme "Child friendly schools"<sup>6</sup>: According to the analysis of the implementation of the programme "Child friendly schools," on the part of the state, the municipalities, the MES and the schools there are no special activities for dissemination of the Convention. This analysis stipulates that although the schools confirm that they are aware of the Convention, they only have a vague idea about the Convention and that sometimes it is possible to find few samples of the Convention in some schools.

P3. Having in mind the above mentioned fact concerning the inexistence of a systematic mechanism for dissemination of the Convention and informing about the same, the Coalition SEGA researched how much is the Convention really known and used in practice. Moreover, apart from the information on dissemination of data and materials which convey the content of the Convention, the knowledge of institutions and of children on the content of the Convention were used as an indicator along with the practical use of the Convention.

P4. Findings of the mapping: According to the completed mapping, all institutions on the local level are informed with the content of the Convention, and most of them consult it in their work. However, the percentage of those who consult the Convention is almost 1/3 less than those that said they are acquainted with the same, which also points out to the insufficient practical use of the Convention. For example, although 9 municipalities declared that they consult the Convention, only 5 of them managed to remember the case in relation to which they have done so. Schools, on their part, confirm that the provisions from the Convention are included in their annual programmes through activities.

P5. Findings from the survey of children: According to the survey with children, the majority of children do not know what a Convention on children's rights is. Only 31% know that the Convention is a document for protection of children's rights. Moreover, most of the children have never seen or are not certain that they have seen the Convention. Although, children generally choose and recognize children's rights, still 71% of them say that they know partially of children's rights. Most of them recognize the right to education as a children's right, along with the right on saying what they think, the right to life and the successive right to protection from violence, the right to study in their mother language, the right to rest and play and the right to privacy.

---

<sup>6</sup> „Child friendly schools”, Situation analysis, UNICEF, August 15, 2007 Skopje

P6. Findings from the focus groups with children: According to the focus groups realized with children, one third of the children at the age 9 – 12 are not aware of a Convention on children's rights, while a large number of the children that know about the Convention do not precisely know what it is nor they have ever seen it. The children that know about it describe the Convention as a book which protects their rights; written rules which are learnt; rights and freedoms that every child has; children's rights among which is the right to go to school and to do what they want; a document in which the child has a right to school. In view of the rights which they know the most they enlist education, than health care, personal thinking and expression, right to life, right to play, protection from abuse of child labor, protection from violence, right not to be separated from their parents. Part of the children do not understand the essence of rights and they relate them to codes of conduct such as for example the fact that they should dispose garbage, that they should not beat each other up, that they should not say bad words, etc.

P7. Findings of the focus groups with parents: Focus groups of parents showed that not all parents are acquainted with the Convention on children's rights. Those that are acquainted, identify the Convention as an international agreement with specific provisions, document of obligations, document that was ratified by the Parliament of the Republic of Macedonia. Most of the parents have never seen nor read the Convention. However, parents still manage to list few basic rights they have heard about such as the right to life, to education, to health, parents' care, social protection. Parents are not acquainted with all the rights of their children and are not informed where they should turn to if some of their children's right has been violated. The right that has been violated most often, according to them, is the right to protection against discrimination. The parents and their children in most cases when rights are violated address the head-teacher, the pedagogue and the psychologist. In Skopje, participants also listed the SOS phone lines, Medjashi, the police, the social centers, the pedagogue and the psychologist.

P8. Findings of the analysis of the Deputy Ombudsman reports: According to the reports of the deputy Ombudsman on children, he has been undertaking activities aimed at informing children and adults with the Convention since 2001. The Ombudsman organized a number of consultative sessions for students, prepared and printed brochures on the Convention in several languages as well as well as brochures with use of Braille alphabet. Concomitantly, the deputy Ombudsman for children completed a number of studies in the schools such as the study on violence and on inclusion of children with special needs.

## **2.2 General principles**

### 2.2.1 Non-discrimination (article 2)

1. Recommendation of the Committee – the Committee recommends that the State party find alternative means to implement the three child policy, other than excluding the fourth child from social service benefits, and ensure that all children have equal access to such assistance without discrimination.

2. Information from the state report- the state reports on the implementation of legal amendments to the Law on protection of children which are related to the right to a supplement for children for all children up to the age of 18. In this part, the state acted in accordance with the recommendation of the Committee.

P1. We agree with the information provided in the state report. At the same time, we consider that the information provided by the state is insufficient to reflect the willingness of the state to regulate this area or to stress some other possible efforts of other institutions in the area of non-discrimination.

### 3. Coalition SEGA research findings and information

P1. The Coalition SEGA was not focused on the practical realization of this aspect of non-discrimination in its research. With the aim of providing extended information on the area of anti-discrimination in our research we took into account and analyzed the efforts to legally regulate anti-discrimination, the situation in the institutions in view of dealing with discrimination as well as the perception of children whether and to what extent they feel discriminated.

P2. Findings from the mapping: According to the institutions' statements on local level, children rarely complain about discrimination. All the local level institutions have certain kind of procedures or principles for prohibition of discrimination. The most common reasons for discrimination according to both children and institutions are school performance, material status and ethnic belonging is on the third place of the list of priorities. There is an exception with NGOs. According to 76% of the NGOs, children complain about discrimination very often and the most common reason for discrimination is ethnic belonging. This finding does not correspond to the statements made by children and other institutions, but it could be explained with the fact that one part of the included NGOs work in the field of discrimination, thus, it is logical that in their practice most cases of violation of children's rights that appear are related to this.

P3. Findings from the analysis and focus groups of children: According to the survey, 67% of the children stated that they feel equal to other children, but still 56% of them noted that they have felt humiliated on one or more occasions. Most of these children are Roma. In the focus groups, children generally felt that they are equal to other children and that they never felt humiliated. Nevertheless, a part of them needed an explanation of the meaning of the term equality. The children that report that they felt unequal give examples related to unfair grading and discrimination by teachers which gave higher grades to some children due to family ties or better economic status of their families.

P4. Findings of the analysis and reports of the deputy Ombudsman for children: According to the reports of the Ombudsman, the question on discrimination over children is opened since 2003 when the Ombudsman proposed the adoption of the Law on anti-discrimination for the first time. In the course of 2007, the Ombudsman proposed amendments and addenda to the Law on the Ombudsman in which proposes more concretely to define the term of non-discrimination of children and the prohibition for discrimination of children on all grounds as well as envisaging of mechanisms and measures for protection in the case of discrimination. In the course of 2008, the Law on anti-discrimination was drafted by the Ministry of Labor and Social Policy. The proposal was then revised and after it was reviewed by the National Council on Euro-integration, one more revision was announced. The Law is still not adopted by the Parliament. The public does not have information on what stage is the law at the moment.

P5. Findings of the analysis of the laws in the area of education: Discrimination in education was not regulated with the previous laws on primary education. The 2008 Law on Primary Education, prohibits discrimination on the grounds of sex, race, skin color, national, social, political, religious, property and social belonging in the realization of rights to primary upbringing and education (article 2). Discrimination on all grounds is prohibited also through the Law on Secondary Education (52/2002 article 3). Provisions that prohibit any kind of discrimination are included in the National Programme on the Development of Education and in the NAP on children's rights.

## 2.2.2 Participation of children in decision – making ( article 12 and 13)

1. Recommendation of the Committee - the Committee recommends that the State party continue to take all appropriate measures to ensure that children are provided with appropriate opportunities to express their views and that these are given due weight, in accordance with the provisions of the Convention.

2. Information from the state report- In the state report, participation of children is defined only as one of the key principles and rights in the triangle of children's rights. At the same time, the state stipulates that the implementation of this principle would allow children to participate in decision-making. The Laws on family, on juvenile justice, on working conditions are underlined, according to which a certain level of participation of children is decision-making related to them according to their age is envisaged.

P1. Legal improvements in view of the right to participation: According to the Law on family and the amendments and addenda to this Law in 2004, 2006 and 2008, the competent institution should take into account the attitudes and opinions of the child – whether he/she would like to keep in contact with the parent with whom he does not reside. This obligation to take the opinion into account is to the Centers for social care (CSC), but children are not asked for their opinion on many occasions, and according to the conclusion of the Ombudsman, they provide their opinion under the influence of the other parent. In the same law, mandatory approval is requested from the child if he/she is at the age of at least 16 in the case of acknowledgement of parenthood. The child has the right to contest the fatherhood and motherhood and it may submit an appeal until he reaches the age of 21. In the same law, in view of adoption in the event of establishing relations between the two sides which are included in the adoption, the will of the child is taken into account if it is not older than 10 years. Concomitantly, if the child that is adopted is older than 10, his/her approval is necessary for the adoption, and the child that is older than 10, is present at the act of adoption. A child that has reached the age of 15 could make a working agreement and may use its own salary without a previous approval from his legal representative.

Π2. We agreed on the presented information by the state on the legal amendments in this area. At the same time, we deem that the state does not undertake any other activities with the aim to ensure the implementation of the right to participation in other areas where the contribution of children could be defined more clearly. The Coalition SEGA in accordance with its expertise, researched the implementation of the right to participation in particular in the area of education, in the municipalities and in the family and the results are provided in part 3.

### 3. Coalition SEGA research findings and information

P1. Findings from the interview with the deputy Ombudsman on children: In 2004, the deputy Ombudsman on children's rights reports on the establishment of a Children's Board comprised of representatives from the primary and secondary schools. The aim of the Board, apart from the continuous education of children, is to hear the opinion of children. The Board was established in cooperation between the deputy Ombudsman on children's rights and the UNICEF Office. In the next two-three years, the deputy Ombudsman on children's rights reports that the Board continues with its activities. According to the information received from the conversation with the deputy Ombudsman Mrs. Nevenka Krusharovska, the Children's Board included children from the entire territory of the Republic of Macedonia. The selection of children in the first year was according to the MES proposal, while in the next year the membership of the Board is increased also with the nomination of children by schools, and on the initiative of the deputy Ombudsman on children's rights. The expenses for the Board meetings were covered by the donor, i.e. UNICEF and after the ending of the project, and even though efforts were made to ensure the basic expenses for children to be able to come to meetings, the Board slowly decreases its functioning. The Board prepared a document – Information to the MES in

which children's opinions and attitudes on certain amendments are provided, which should be undertaken in order to better protect their rights. If the initiatives of the deputy Ombudsman and children's requests are taken into account in the Information, it could be concluded that the deputy Ombudsman on children's rights raised one part of these requests made by the children and part of them are met, such as, for example the request for prohibiting the advertisement of cigarettes and alcohol and sale of alcohol to minors.

P2. Findings from the analysis of the Law on Primary Education: the Law on Primary Education does not envisage any measures for direct involvement of children's opinion and participation of children in the decision-making processes that are important for them. Children's interests in primary school are represented through their parents and parent's participation in school bodies. Hence, according to the Law on Primary Education from 2002, although the student should be allowed to participate in the grading of his knowledge and should be informed about the grade (article 53) only the parent is listed as having the right to submit an objection when he/she is not satisfied with the grade (article 65). The 2008 Law does not mention at all the obligation to inform the student, but the obligation to only inform the parent at least twice in each semester (article 67).

P3. Findings from the analysis of the Law on Secondary Education: on the other hand, the Law on Secondary Education (52/2002) envisages that if the student is not satisfied with some of the annual grades he/she has the right to submit an objection to the teacher's council (article 58). With regard to the upbringing and educational programme, again also in secondary education, it is envisaged that only parents could provide their opinion through the parent's Council.

P4. Children's participation is listed in the National Programme for Development of the Education and in the NAP as a declarative commitment.

P5. Findings from the analysis of the Law on Local Self-Government: In the frames of legislature related to local self-government there are no provisions which could regulate children's participation in decision-making and the cases in which municipalities should ensure the mandatory participation of children.

P6. Findings of the mapping: According to our research, the institutions on the local level have envisaged some ways to acquire the opinion of children or to include children in decision – making. However, in practice, there are no concrete guidelines or activities through which this is done. Surveys, informal talks, focus groups are underlined as the envisaged ways. In schools, children's opinions are generally included on issues that are not essential for the development of children as democratic individuals such as for example decision – making for the selection of an excursion offer or location for the prom celebration. Most NGOs require children's opinion when they create their programmes and activities, mainly in cases related to education and to the effective use of free time. Municipalities do not include children directly in decision-making nor in the processes of creation of annual programmes and activities for children. 53% of municipalities do not have a structure through which children could be included in decision – making. This is done through NGOs which work with children and through parents. In view of the Centers for Social Work the conclusion is that children are included when this is envisaged by the law. There is very little self-initiative for inclusion of children in other situations in which their opinion is not mandatory. According to the offices of the deputy Ombudsman, children's opinion is received when they go out in the field to discuss with children or when children come to them to report a case.

P7. Findings from the survey and the focus groups of children: 81% of children know and state that they should participate in decision-making. At the same time, they believe that they do not take decisions in schools and that they are not consulted by adults (teachers and parents). Children from the focus groups have the same attitude. 41% of children are also not informed at all on how the municipality takes decisions which are important for them, and 35% believe that it takes decisions autonomously. Children that were included in the focus groups declare that they are not aware how the municipality adopts decisions. On the level of the family, children included in the survey and children included in the focus groups say that they are more included in decision-making and they state that parents first ask them and then they take the decision. Accordingly, children have the highest confidence to address a family member in cases when their rights are violated, i.e. in most cases this is the mother. At the same time, parents are those who mostly request the opinion of children and those who accept it the most. Teachers are mainly ranked at the end. 72% of children are satisfied with the care provided to them by the adults.

P8. Findings from focus groups of parents: Parents also state that they include children in decision-making dependent on the age, and on the question upon which a decision is taken. Most parents are not acquainted with the ways of children's participation in decision-making in the municipality. Parts of the parents consider that there is no legal possibility for such participation. According to some parents in Tetovo, the municipal council is open for cooperation and children may participate at meetings, but they may not participate in the decision-making. Parents from Kavadarci point out that last year children were included in the work of the local self-government through the Children's Parliament, from which representatives were present at the meetings of the municipal Council and followed its work. According to the parent, when the child has a problem it mostly addresses his/her parent first, then the head teacher, the pedagogue, the psychologist and the director at the end.

## **2.3 Civil rights and freedoms**

### **2.3.1 Association of children (article 15)**

1. In view of article 15 of the Convention in particular, the Committee did not provide a recommendation to the state.

2. Information from the state report - In the state report, the provisions from the Law on association of citizens and foundations which are still enforced are cited and according to which it is not allowed for minors to establish a citizen's association, while the membership in associations is unlimited to all. The state report does not provide detailed information for the existence of NGOs which work in the field of protection of children's rights. There are no concrete information for a cooperation realized between the state institutions and the NGOs. In practice, cooperation is mainly a result from the initiative of the NGOs, in absence of a state policy which would regulate the cooperation according to defined criteria.

P1. The state reports on the establishment of the Children's Board in 2004. This information corresponds with the report of the deputy Ombudsman on children's rights where the role of this board is described and where children's opinions are heard with regard to their rights. Although this information in the report of the state is presented under the part Civil rights and freedoms and it refers to the right of association, we consider that the Children's Board does not represent a form of voluntary association, because as an initiative, it originates from UNICEF and the Ombudsman, and children are selected according to the suggestion of the MES and the schools, and not based on the principle of volunteerism. Hence, in our report, the Children's Board is treated as a mechanism where children could provide their opinion and it is presented in the part General principles.

### 3. Coalition SEGA research findings and information

P1. Findings from the working group for amending the Law on Citizens Association and Foundations: According to the data we receive from the work of the working group for amendments to the Law on Citizens Association and Foundations, it is proposed that an association could be founded by persons who have reached the age of 15 with a previous statement of agreement by their legal guardian. Such a draft provision is a step forward in the realization of the right of children to association, yet, on the other hand, the provision itself excludes all those which have yet not turned 15. In the Law on Primary and Secondary Education there are no provisions which outline the right to children's association, which is contrary to the commitments of the state in the NAP for children where it is stipulated that it is founded on the triangle of children's rights - one segment of which is precisely the participation of children.

P2. Findings from the analysis of the programme "Child friendly schools": Association of children, according to the analysis Schools fit for children is not fully regulated in the statutes of some schools. Although there are formal possibilities for association of children in class communities, school and student organizations, no clear rules on how children associate exist in practice, nor on what is the role of student communities and student organization. Children know even less what are the rules for election of representatives in those communities because selection is generally made traditionally and on the proposal of the teacher. According to the same analysis, children rarely participate in adoption of the rules of the class, and even less in adoption of rules of the school

P3. Findings from the focus groups of children: According to the statements of children in the focus groups, the schools have mainly established structures on the level of classes, except in Tetovo where children are not at all aware of the forms of association of students. Even when they are established on the level of class, they do not function on the level of schools. The presidents of class communities do not participate in teachers' councils and according to them even if they do participate, they do not believe they could change something. Some children do not recognize these structures at all as their representatives. Children are not acquainted with the existence of a rulebook for work of the school community and they tend to confuse it with the codes of conduct which determine the rules for conduct of children in the class such as: to dress decently, not to chew gums in the class, etc. Moreover, when asked what the class community could decide upon, again they list the rules of conduct as well as the decisions on excursions. According to the children, the accountant functions the most of all these structures, which mainly collects money for coping tests.

P4. Findings from the survey and focus groups of children: According to the survey we have conducted, 81% of children consider that they should associate in different organizations with the aim of realization of their rights. Children are informed to a varying degree about organizations in their town which work with children's right. 43% know of such organizations in their town, and 41% do not know. Children in the focus groups show that they have very weak knowledge of the organizations of children's rights that exist in their town. Children from Skopje list Medjashi and the Red Cross. In Prilep, they know only the daily center for children with special needs. Children in Ohrid also mention the Red Cross and they mostly know about the NGO Youth Council in Ohrid in whose activities they were included. Children from Tetovo and Stip do not know a single organization. Apart from the children that were included on the activities of Youth Council from Ohrid, the others have not participated in any kind of activities of non-governmental organization in relation to children's rights. 77% of children are not members of organizations which work with children's rights, of which the larger percentage are girls in comparison to the boys. From the participants of all ethnic groups which have selected the option that they are members of a children's organization, most are Roma with 31%, and the least are those of Albanian ethnic belonging with 16%. Only 30% of children participated in activities on children's rights, 58% have

not participated, and the rest are not certain. Of those which have declared that they participate, most are Roma.

P5. Findings of the mapping: Only 17% of schools have not established any criteria on the modalities of children's association in schools. In 55% of schools, the criteria are documented, while in the other 28% criteria exist and schools say that they are known to the students, but they are not documented. At the same time, 62% of schools declare that student organizations have rulebooks which regulate their work. Most of the surveyed NGOs have members that are children and for 48% of them there is no need of establishment of membership criteria for children, because of the possibility for everyone who desires to become a member. Nevertheless, 39% of organizations have criteria according to which children could become members of their organizations. In view of the lower age threshold for children which allows them to become members of NGOs, only two organizations stated that only mature persons could be their members. For 45% of organization there is no age limit, while for 32% of NGOs, the condition allowing children to become members of their organization is for them to have turned 15.

### 2.3.2 Access to information (article 13)

1. In view of article 13 from the Convention, the Committee did not provide a recommendation to the state.

2. Information from the state report- The state report contains data on the legal regulations that were undertaken in order to protect children from informative programmes which are presented through television, which could have negative effect over their psychological and intellectual development. In that sense, the state reports on the initiative of the deputy Ombudsman on children's rights raised to the Broadcasting Council by which a Code for protection of children from programmes that could have negative effect over their psychological and intellectual development.

### 3. Coalition SEGA research findings and information

P1. Findings on the implementation of legal provisions which regulate the broadcasting of programmes with damaging circumstances over the development of children: In the Law on Broadcasting, provisions are included that regulate the presentation of programmes which could have negative effect on the development of children such as, for example, pornographic programmes, violence, broadcasting of telephone numbers that offer special services in the same time with children's programmes. The Broadcasting Council also prepared precise guidelines for categorization of programmes. In practice, most of the private televisions do not respect these guidelines and they make an individual estimate with regard to the programmes that should be broadcasted. In the period up to 24.00 hours, films and shows could be seen on television containing violence, inappropriate wording, explicit erotic contents.

P2. Findings of the analysis of the Ombudsman: On the initiative of the deputy Ombudsman on children's rights, the restriction on advertising of cigarettes is accepted and amendments are made to the Law on prohibition of smoking. Moreover, amendments to the Law on Catering Activity and the Law on Trade are introduced which restrict the advertising of alcohol and the sale of alcohol, energetic drinks and cigarettes to children.

P4. Findings of the mapping and the survey of children: the Coalition SEGA researched what is the access of children to information on their rights or information which are necessary to them in school. According to the mapping, schools mainly inform children on their rights in a traditional manner, i.e. with the use of flipcharts, written statements and verbal statements. All other institutions mostly inform children through brochures and other printed materials. Some of the institutions have SOS phones, but

still the access of children is limited because there are a small number of SOS phones. 2 municipalities have SOS phone lines, 4 centers for social work, 2 regional offices of the MES, two deputy Ombudsmen. Children have mainly decided to inform themselves about their rights via TV and radio.

## ***2.4 Education, leisure and cultural activities (article 28 u 29)***

Recommendation of the Committee – The Committee recommends that the State party review the allocation of financial and other resources to all primary and secondary schools, with particular attention to raising the quality of education in minority language schools. The Committee recommends, in addition, that the State party consider increasing the numbers of hours of teaching of the Macedonian language in minority language schools, on a voluntary basis, with a view to ensuring that children who are minority language speakers are able to participate on a more equal level with Macedonian-speaking children at higher education levels at which entrance examinations and teaching are conducted primarily in the Macedonian language. The Committee suggests further that the curricula in all schools should include a greater focus on the personal development and vocational training of students and on inter-ethnic tolerance. The Committee recommends that the State party seek technical assistance from UNICEF in this regard.

### 2.4.1. General Practices and quality of implementation of the educational processes

#### A. Free and compulsory primary and secondary education

1. Information from the state report- In the state report it is noted that changes are made in the laws on primary and secondary education which improve the conditions of education and respect for children's rights. The state introduced a nine-year compulsory primary education which is realized as of the 2005/2006 academic year. In terms of secondary education, the state report notes that it is not obligatory.

#### 2. Findings and information from the research of the Coalition SEGA

The compulsory secondary education was introduced in 2008/2009 academic year. In the frame of legal amendments the state also introduces provisions to increase the role of the School board through the inclusion of representatives from business and through training of the members from board.

#### B. Work with talented children

1. Information from the state report- The state noted in its report that MES prepares special programs for early detection of talented and gifted children. The advancement/passing of children in higher grade of the educational process twice during the primary school is treated as a measure for the treatment of the talent.

#### 2. Findings and information from the research of the Coalition SEGA

P1. Findings from the analysis of the Ombudsman reports: One of the ways for developing the children's talents in the past period are pioneer centres. However, in practice, the state prohibited pioneer centres that were the nucleus of identification of talented and gifted children. The Ombudsman reports in its annual reports about the prohibition of the pioneer centres. The Ombudsman stated in this reports that it called for undertaking an initiative of introducing an alternative to these centres as well as for allocating funds from the budget of the MES for support of the talented children. There is no specific information about what has been taken in this direction, but the fact is that until this moment the state and MES did not offer alternative forms that will identify and develop talented children.

P2. Findings of the mapping: The results of the mapping showed that schools work in a different manner with the specific groups of children regardless if they are talented children or average or for children who have difficulties in grasping of the given material. 54% of the surveyed schools have criteria for working with different groups of children, while 38% of them leave the teachers to decide individually how to work with the different groups of children.

P3. Findings from the focus groups of parents: Within the proposals of parents from the focus groups to improve the situation, the need for stimulation of gifted students as well as for the special approach of the school in the work with these students is emphasized.

P4. Findings from the interview with Mrs. Marija Miloshevska, former head of the Unit for Children's Rights in the Directorate for Development and Promotion of Education in the Languages of the Communities : The Unit of Children's Rights at the Department for Development and Promotion of Education in the languages of the communities was established within the MES. Although the Department has the potential to be an expert body in this area, it has only a marginal role in protecting children's rights, without adequate capacity and placement in the hierarchy of MES. From the conversation with Mrs. Miloshevska exactly the marginal role of this body could be concluded, along with the weak pro-activity of the Department and the indifference of MES to strengthen this aspect in its work. The participation of the Department in activities for protection of children's rights is mostly in projects conducted by civic associations and on initiative and invitation by the civic associations.

### C. Quality of the teaching and teaching staff capacities

1. Information from the state report- In the report the state remarks that through the MES, activities are taken to redesign the curriculum as well as for developing an efficient system for evaluating the students, which will contribute to more objective evaluation of the students. According to the state report, the schools implement the educational process through new modern methods that allow interaction between teachers and students, and for which the teachers continuously upgrade. At the same time, quality standards for the textbooks are introduced which should increase the quality of education, as well as procurement of computers for the schools and training of the teachers for their use in the teaching process is completed. According to the report, the state has undertaken activities for including children with special needs in the regular educational process.

### 2. Findings and information from the research of the Coalition SEGA

P1. The Coalition SEGA in its research reviewed the quality of education from the point of view of the aims of education, quality assurance and provision of teaching conditions (conditions for establishment of a school and number of students in a class) as well the readiness of teaching staff.

P2. Findings from the analysis of the legislation: The legislation shows that MES is taking measures to revise the curriculum, but at the same time, ways are not provided to decentralize the curriculum as it is provided by NPDE. The curricula are revised on the basis of Concept set by the Minister and based on the goals of education laid down by the 2008 Law on Primary Education. The Law on Primary Education 2008, with the aim of ensuring the quality of teaching introduced two novelties. These are self-evaluation (implemented by the school committee) and a development program of the school (which includes results from the self-evaluation, recommendations from the report of the integral evaluation conducted by the State Educational Inspectorate, and the opinions of the advisory and expert assistance from the Bureau). The self-evaluation includes organization and implementation of teaching and learning, achievements of the students, professional development of the staff in the school, governance and management, communications and public relations, school climate and culture, and cooperation with parents and the local environment. According to the amendments and addenda to the Law on Secondary Education 2006, the public high schools as well as the primary schools

undertake self-evaluation of the work of the school and adopt a development plan of the school. The amendments in the legislation concerning the advancement of teachers set mechanisms for assessment and evaluation of the progress of their work. However, while the next level advancement is made based on the opinion of a commission, the objectivity and the professionalism of the teachers are evaluated only on the basis of external evaluation of the achievements of students (compared with the grades that the teacher gave). Thus, the quality of teaching identifies once again with the grades of the students.

P3. Reforms without adequate in-depth research of the long-term influences and their feasibility: MES undertakes reforms in order to ensure greater quality of teaching in practice, but in practice are visible educational reforms in the absence of detailed analysis which will indicate long-term consequences. Several such cases are elaborated as follows.

– *With the 2008 Law on Primary Education, religious education was introduced as an optional course in V grade in the eight-year programme, or in VI and VII grade in the nine-year programme. Religious education was introduced in the 2008/9 academic year as an optional course in the V grade with the following options: "Religious Education" (Orthodox, Christian, Islamic, Catholic, Evangelical Methodist or Judaism) or "Introduction to religions". The introduction of Religious Education was a point of disagreement for one part of the public due to the fact that it is contrary to the Constitution of the Republic of Macedonia as well as with article 11 of the Law that envisages a prohibition of religious organizing and acting in the primary school. In April 2009, the course Religious Education was declared unconstitutional by the Constitutional Court because it was contrary to article 19 and the Amendment VII of the Constitution that determinate the secular character of the state. In the 2009/10 academic year, the children in fifth grade choose between the subjects "Introduction to religions" and "Classical Culture in European Civilization."*

– *With the new Law on Textbooks (94/2008) all textbooks in primary and secondary education are provided free of charge for students from the 2009/10 academic year. A problem arises in the implementation of this law, due to the delay of the Ministry to provide all textbooks in time at the beginning of the 2009/10 academic year. An alternative solution was offered by the Ministry through the announcement of a website from which the textbooks that were not printed in time could be downloaded in electronic form. A certain number of students that did not have access to internet were unable to take advantage of this alternative solution. Moreover, some parents and teachers became scared from the provision in the law which envisages that "textbooks cannot be damaged, underlined or marked certain parts of the text in the textbook." In case the teachers do not point out to the students and parents about the existence and the meaning of this provision, fines between 5000 and 10000 Euros are foreseen for teachers.(article 27)*

– *The external evaluation envisaged by the new Laws on Primary and Secondary Education should have started its realization at the end of the 2008/ 09 academic year. This evaluation was planed to be conducted with students from the fourth to the ninth (the eight grade according the old program) and students from secondary school with standardized tests prepared by the Ministry of Education and Science and the State Educational Inspectorate. The results of the evaluation should have served to assess the objectivity of the work of teachers and to reward or punish them with a percentage of the salary according to how much the grades of the external evaluation overlap with the grades which they have given to their students. In June, the Constitutional Court reviewed the constitutionality of the application of external evaluation. Provided that the testing was to be conducted in the same period at the end of the school year, the court temporarily terminated the same. In early July 2009, the Constitutional Court ruled the external evaluation as unconstitutional given that the evaluation of*

*knowledge of the students under the Constitution is a competence of the educational institutions, not the Ministry of Education and Science.*

P4. Findings of the mapping: The mapping of the schools showed that the quality of the education was evaluated through self-evaluation (envisaged by the legislation as main mechanism for quality control) only in 47% of the schools, while many of the schools identified the quality through the achievements of students. In most of the surveyed schools, the average number of students is 25 to 30. Only in 4% of the schools the average number of students per class is greater than 34, which crosses the legal boundary of children in the class. 87% of the schools have classrooms equipped with computers. Yet, only 42% of the schools have criteria for using the computers in the teaching, while in 38% of the schools decision about how to use the computers in the teaching are made by teachers. Most of the schools, even 92 of them, have taken actions on their own initiative to improve the infrastructure and working conditions in the school. Most of them undertook activities to equip the classrooms with new equipment such as desks and chairs, as well as activities to change the windows and reconstruction or rehabilitation of sanitary knots. Having in mind that for a long time nothing was done in the field of improving infrastructure, besides the immense budget of the MES for infrastructural undertakings as well as funds from international donors, a question is raised to what extent would schools taken initiative if they should have provided the finances on their own. Last year in 93% of the municipalities activities for improving the infrastructure and the working conditions in the schools were taken.

P5. Findings from the survey with the children and the focus groups: The effect from the changes in terms of curricula and the further training of teaching staff are not yet visible in a practice. Namely, 60% of children are satisfied with the knowledge they acquire in school at present, although it is still not completely carried out according to the new and revised curriculum, while 67% of children believe that the teachers are creative in the transfer of such knowledge. The same attitudes are also prelevanting for the children from the focus groups. In terms of the number of students in a class, it ranges between 24-34 students which is in accordance to the 2008 Law on Primary Education, while in secondary schools this number is regulated between 25-34 students. 13% of children remarked that their classes had over 34 children. Very often the children at the age of 16 and 17 respond that their classes had over 34 students, and the mapping also shows that secondary schools are forerunners of classes with more students than the permitted legal framework. However, most of the children declare that they study in classes with 25 to 30 students, and then follow the children who declare that their classes have 30-34 students, which falls within the legal limit. Although the state stipulates that it constantly takes actions for improving the curriculum and establishing standards for quality of the textbooks, only for 31% of the children the books are clear, while 52% of the children think that the textbooks are partially clear. Moreover, 51% of the children think that only small number of teachers use creative working methods to convey the knowledge. Despite the government's project "Computer for Every Child" the practice shows that not only there are no computers in all schools, but that in the cases where computers are in place, they are not used. 41% of the children said that they have a computer at school but they do not use it, while 21% use it occasionally. Only 44% of the children think that it is pleasant to learn and work only in some rooms of the school, while 31% say that all rooms are pleasant.

P6. Findings from the focus groups of parents: Most of the parents are satisfied with the conditions in which their children study. According to the parents, the schools are more equipped and the number of students is decreasing. The parents in Tetovo are not satisfied with the conditions and they note that there are classes with a number of students more than the allowed number, the classrooms are not equipped sufficiently, the teachers do not work sufficiently with children but only grade them at the end, there is no system that would control and select high quality teachers. The parents from Stip indicate that the children have too many things to learn and too many studying hours and that they are overloaded with too much unnecessary material for studying. The parents from all the cities said they are not consulted about the quality of teaching.

#### 2.4.1 Non - formal education

1. Information from the state report - In the state report it is indicated that the structure of the educational programs allows for some forms of non - formal education, i.e. envisages required, optional and facultative subjects, activities outside the school, cooperation with the local communities, monitoring and evaluation and improvement of educational process.

#### 2. Findings and Information from the research of the Coalition SEGA

P1. Findings from the analysis of the legislation: The Law on Primary and Secondary Education does not cite non - formal education. Provided that the non - formal education is stated in the laws on higher education and adult education, we can conclude that the non - formal education are legally defined only for adults but not children. NPDE emphasizes the need for "building an effective link with the NGO sector and its promotion into a *key partner* in the development of education and the country as a whole" as well as for "division of responsibilities and activities in accordance with the priorities of the state, between the government and the NGO sector."

P2. Findings of the mapping, the survey of children and the focus groups of parents and children: According to the research of the Coalition SEGA, in most schools - 67% do not regulate the participation of students in school and outside school activities. According to the representatives of the schools, each student can participate in such activities. In 31% of the schools the head teacher of the activity selects students who will participate in the school and outside school activities. Children on their part, in 53% said that they sometimes have the opportunity to participate in sports and cultural activities, while only 27% noted that they have sufficient opportunities to participate. Children participated in a greater percentage in educational activities outside of school - 67%. This was also declared by the children from focus groups and the parents.

#### 2.4.2 Intercultural Dimension of Education

1. Information from the state report - it is indicated in the state report that children whose mother language is not Macedonian language will study on their mother language in the communities as it is regulated by law.

#### 2. Findings and Information from the research of the Coalition SEGA

P1. Findings from the analysis of the legislation: Prior to the 2008 Law on Primary Education, the only intercultural dimension of the laws both for primary and the secondary education is the paragraph which states that members of communities that follow the lectures in languages other than Macedonian celebrate the traditional Day of Education of their proper community with cultural and other events. In the new Law on Primary Education from 2008 more attention is paid to the intercultural dimension by emphasizing the need for mutual tolerance, cooperation, respect for others and their rights and their culture. However, it is envisaged that these topics with an intercultural dimension would be dealt with during the class community lesson. On the other hand, the Law on Secondary Education is not supplemented accordingly with the amendments to the Law on Primary Education and does not contain the attitudes that would regulate the intercultural dimension of the secondary education apart from the previously mentioned celebration of the traditional Day of Education. NAP sets the goal that all children should receive free and quality education regardless of sex and that interethnic and intercultural dimension to the same is ensured. The intercultural aspect is also indicated in the Program of secondary and post-secondary education which sets out that in the secondary and the post-secondary

education the different cultural groups need to foster relations of mutual cooperation, and not to foster conditions to live side by side. On the other hand, NPDE speaks about support of multiculturalism in the educational process in which the focus is on individual and obliges the MES to support initiatives that would have a multiethnic character, and would promote exchange between the cultures. NPDE indicated the multicultural dimension in each level of education.

P2. On October 8, 2009, the MES and OSCE announced the Draft document for introduction of an integrated educational system. The policy of integration of the ethnic communities through education that is promoted through this document provides the following measures: joint educational and extra-educational activities for the students from different ethnic communities, the minority communities to learn Macedonian language and the children from Macedonian community to learn the languages of the other ethnic communities, additional criteria and training for the teachers, mechanisms for promotion of multiculturalism in the textbooks, improvement of the management of schools.

P3. Findings of mapping in the survey of children: According to the research, 19% of the surveyed schools declared that not all students have an opportunity to learn the mother language. In 70% of these schools, the Roma do not have a chance to learn their mother language because there is no lectures exist in Roma language. On the other hand, although the course is optional, however, there is no literature or staff for teaching Roma language. In 40% of the schools the Turks do not study in their mother language. A smaller number of schools mentioned that the Albanians, Bosniacs, Serbs and Vlachs do not learn in their mother language. Most children declared that they study in their mother language 76% (except the foreign language lessons). According to ethnicity, most of Roma children - 57% declared that they do not study in their mother language and Vlachs in 60% declare that do not study in their mother language. Children continue to learn about the other ethnic communities mostly through the family and than follows the content of the textbooks as a source. The general trend is that children mostly declare that they know little or nothing about other communities. Macedonians are the community which is most known by the children. According to ethnic belonging, the situation is a little different. For Turks, the best known community are Vlachs and for Roma, the Turks. Roma are the least known community for Albanians, Macedonians and Turks, and for Serbs these are the Vlachs. For Vlachs all are equally unknown - Turks, Albanians and Roma. From the subjects that they study, most children learn about other ethnic communities through the subject Civic Education, History, Mother Language and Literature and Introduction to religions.

### 3. Annexes

#### ***Annex 1 – Detailed data about the respondents included in the field research***

##### 1. Mapping

**Table 1: Schools included in the mapping disaggregated by cities**

	Number of schools	%
Kavadarci	8	7,0
Bitola	10	9,0
Kumanovo	11	10,0
Shtip	6	6,0
Vinica	3	3,0
Gevgelija	3	3,0
Prilep	7	7,0
Resen	3	3,0
Ohrid	6	6,0
Struga	3	3,0
Debar	2	2,0
Gostivar	8	7,0
Tetovo	6	6,0
Skopje	29	28,0
<b>Total:</b>	<b>105</b>	<b>100,0</b>

**Table 2: NGOs included in the mapping disaggregated by cities**

	Number of NGOs	%
Kavadarci	2	4,5
Bitola	6	13,6
Kumanovo	5	11,4
Shtip	5	11,4
Vinica	2	4,5
Gevgelija	1	2,3
Prilep	3	6,8
Resen	1	2,3
Ohrid	3	6,8
Struga	2	4,5
Debar	3	6,8
Gostivar	2	4,5
Tetovo	4	9,1
Skopje	5	11,4
<b>Total:</b>	<b>44</b>	<b>100,0</b>

- 17 municipalities were included in the mapping from 14 towns in Macedonia. Four out of these 17 are from the city of Skopje.
- 15 Centers for social work were included in the mapping. The Centers from Debar and one from Skopje did not participate in the mapping.
- Five Regional offices of MES were included from Bitola, Gevgelija, Debar, Kumanovo and Tetovo
- Four out of total six regional offices of the Ombudsman were included from Bitola, Tetovo, Kumanovo and Shtip

## 2. Survey with children

**Table 3: Children respondents disaggregated by cities**

	Number of respondents	%
Skopje	419	38,7
Gevgelija	18	1,7
Resen	14	1,3
Ohrid	47	4,3
Tetovo	91	8,4
Kumanovo	102	9,4
Gostivar	96	8,9
Vinica	19	1,7
Shtip	40	3,7
Struga	71	6,6
Prilep	65	6,0
Bitola	79	7,3
Debar	21	1,9
<b>Total:</b>	<b>1082</b>	<b>100,0</b>

**Table 4: Children respondents disaggregated by ethnicity, gender and age**

Gender		Ethnic belonging								Age							
Male	Fem.	Mac.	Albanian	Turks	Roma	Serbs	Vlahs	Bosniacs	Other.	10	11	12	13	14	15	16	17
556	526	648	339	26	36	7	5	0	19	5	2	2	189	207	211	222	243
<b>Total:</b>		<b>1082</b>															

## 3. Focus groups with children

- Focus groups included 78 children from five towns Skopje, Shtip, Pilep, Ohrid and Tetovo

**Table 5: Children in the focus groups disaggregated by ethnic belonging**

	Number of respondents
Macedonian	50
Albanian	20
Bosnian	3
Egyptian	2
Turks	1
Roma	1
Vlahs	1
<b>Total:</b>	<b>78</b>

**Table 6: Children in the focus groups disaggregated by age**

	Number of respondents
Nine years	5
Ten years	24
Eleven years	27
Twelve years	22
<b>Total:</b>	<b>78</b>

#### 4. Focus groups with parents

- The focus groups include 59 parents from 14 towns ( Skopje, Kumanovo, Shtip, Pilep, Bitola, Gevgelija, Vinica, Kvardarci, Ohrid, Resen, Struga, Tetovo, Gostivar and Debar

**Table 7: Parents in the focus groups disaggregated by ethnic belonging**

	Number of parents
Macedonian	46
Albanian	10
Serbs	1
Turks	2
<b>Total:</b>	<b>59</b>

**Table 8: Parents in the focus groups disaggregated by age of the children**

	Number of parents
10 - 12	24
13 - 15	14
16 - 17	21
<b>Total:</b>	<b>59</b>

**Table 9: Parents in the focus groups disaggregated by educational background**

	Number of parents
High education	18
Secondary education	33
Primary education	7
Incomplete primary education	1
<b>Total:</b>	<b>59</b>

**Table 10: Parents in the focus groups disaggregated by the function they represent**

	Number of parents
Members of the Parents' Council	5 ( 1 in the primary school and 4 in the high school)
President of the Parents' council in primary school	2
Member of school board	1
Member of the City Council ( in the cities of Ohrid and Resen)	2
<b>Total:</b>	<b>10</b>

## ***Annex 2 – List of analyzed laws and documents***

### **Analyzed laws:**

#### **1. Education**

##### **Primary education:**

- Law on Primary Education – Clean text, Official Gazette No. 52/2002  
<http://www.pravo.org.mk/download.asp?ID=2&slD=769>
- Law on Amendments to the Law on Primary Education, Official Gazette No. 40/2003  
<http://www.pravo.org.mk/download.asp?ID=2&slD=770>
- Law on Changes and Amendments to the Law on Primary Education, Official Gazette No. 63/2004  
<http://www.pravo.org.mk/download.asp?ID=2&slD=774>
- Law on Changes and Amendments to the Law on Primary Education, Official Gazette No. 55/2005  
<http://www.pravo.org.mk/download.asp?ID=2&slD=775>
- Law on Amendments to the Law on Primary Education, Official Gazette No.81/2005  
<http://www.pravo.org.mk/download.asp?ID=2&slD=776>
- Law on Amendments to the Law on Primary Education, Official Gazette No. 113/2005  
<http://www.pravo.org.mk/download.asp?ID=2&slD=777>
- Law on Changes and Amendments to the Law on Primary Education, Official Gazette No. 35/2006  
<http://www.pravo.org.mk/download.asp?ID=2&slD=778>
- Law on Changes and Amendments to the Law on Primary Education, Official Gazette No. 70/2006  
<http://www.pravo.org.mk/download.asp?ID=2&slD=837>
- Decision of the Constitutional Court of the Republic of Macedonia, U.no. 70/2006 – 0-1 from 17.01.2007  
<http://www.pravo.org.mk/download.asp?ID=2&slD=967>
- Law on Changes and Amendments to the Law on Primary Education, Official Gazette No.51/2007  
<http://www.pravo.org.mk/download.asp?ID=2&slD=953>
- Law on Primary Education, Official Gazette No. 103/2008  
<http://www.pravo.org.mk/download.asp?ID=1&zID=829>

##### **Secondary education:**

- Law on Secondary Education – Clean text, Official Gazette No. 52/2002  
<http://www.pravo.org.mk/download.asp?ID=2&slD=745>
- Law on Changes and Amendments to the Law on Secondary Education, Official Gazette No.49/2007  
<http://www.pravo.org.mk/download.asp?ID=2&slD=940>
- Law on Changes and Amendments to the Law on Secondary Education, Official Gazette No.81/2008  
<http://www.pravo.org.mk/download.asp?ID=2&slD=1126>
- Law on Changes and Amendments to the Law on Secondary Education, Official Gazette No.92/2008  
<http://www.pravo.org.mk/download.asp?ID=2&slD=1134>

## 2. Child protection

- Law on Protection of Children, Official Gazette No. 98/2000  
<http://www.pravo.org.mk/download.asp?ID=1&slD=11>
- Law on Changes and Amendments to the Law on Protection of Children, Official Gazette No.17/2003  
<http://www.pravo.org.mk/download.asp?ID=2&slD=678>
- Law on Changes and Amendments to the Law on Protection of Children, Official Gazette No.65/2004  
<http://www.pravo.org.mk/download.asp?ID=2&slD=649>
- Law on Changes and Amendments to the Law on Protection of Children, Official Gazette No.113/2005  
<http://www.pravo.org.mk/download.asp?ID=2&slD=802>
- Law on Changes and Amendments to the Law on Protection of Children, Official Gazette No.98/2008  
<http://www.pravo.org.mk/download.asp?ID=2&slD=1150>
- Law on Changes to the Law on Protection of Children, Official Gazette No.107/2008  
<http://www.pravo.org.mk/download.asp?ID=2&slD=1176>

## 3. Family

- Law on Family, Official Gazette No. 80/92  
[http://www.pravo.org.mk/download/Zakoni/Semejstvo\\_1992.pdf](http://www.pravo.org.mk/download/Zakoni/Semejstvo_1992.pdf)
- Law on Changes and Amendments to the Law on Family, Official Gazette No. 9/96  
[http://www.pravo.org.mk/download/Zakoni/Sub/semejstvo\\_ID\\_96.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/semejstvo_ID_96.pdf)
- Law on Changes and Amendments to the Law on Family, Official Gazette No. 38/2004  
[http://www.pravo.org.mk/download/Zakoni/Sub/semejstvoto\\_ID\\_17062004.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/semejstvoto_ID_17062004.pdf)
- Law on Changes and Amendments to the Law on Family, Official Gazette No. 33/2006  
[http://www.pravo.org.mk/download/Zakoni/Sub/semejstvoto\\_ID\\_20032006.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/semejstvoto_ID_20032006.pdf)
- Law on Changes and Amendments to the Law on Family, Official Gazette No. 84/2008  
[http://www.pravo.org.mk/download/Zakoni/Sub/ID\\_Zakon\\_za\\_semejstvo\\_84\\_11072008.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/ID_Zakon_za_semejstvo_84_11072008.pdf)
- Law on Family – Clean text, Official Gazette No. 157/2008  
<http://www.pravo.org.mk/download/Zakoni/Sub/zakon%20za%20semejstvo.pdf>

## 4. Juvenile justice

- Law on Juvenile Justice, Official Gazette No. 87/2007  
[http://www.pravo.org.mk/download/Zakoni/Zakon\\_za\\_maloletnicka\\_pravda\\_87\\_12072007.pdf](http://www.pravo.org.mk/download/Zakoni/Zakon_za_maloletnicka_pravda_87_12072007.pdf)
- Law on Changes to the Law on Juvenile Justice, Official Gazette No. 103/2008  
[http://www.pravo.org.mk/download/Zakoni/Sub/I\\_MALOLETNICKA\\_PRAVDA\\_103\\_19082008.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/I_MALOLETNICKA_PRAVDA_103_19082008.pdf)
- Law on Changes to the Law on Juvenile Justice, Official Gazette No. 161/2008  
[http://www.pravo.org.mk/download/Zakoni/Sub/I\\_Zakon\\_za\\_Maloletnichka\\_pravda\\_161\\_24122008.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/I_Zakon_za_Maloletnichka_pravda_161_24122008.pdf)

## 5. Local self government

- Law on local self government, Official Gazette No.5/2002  
<http://www.pravo.org.mk/documentDetail.php?id=219&gid=50&tid=1&page=documentlaws.php>

## 6. Social protection

- Law on Social Protection – Clean text, Official Gazette No.21/2006  
[http://www.pravo.org.mk/download/Zakoni/Sub/socijalnata\\_zastita\\_precisten.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/socijalnata_zastita_precisten.pdf)
- Law on Changes and Amendments to the Law on Social Protection, Official Gazette No.98/2006  
[http://www.pravo.org.mk/download/Zakoni/Sub/ID\\_socijalna\\_zastita\\_98\\_04082008.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/ID_socijalna_zastita_98_04082008.pdf)
- Law on Changes and Amendments to the Law on Social Protection, Official Gazette No.161/2008  
[http://www.pravo.org.mk/download/Zakoni/Sub/ID\\_Zakon\\_za\\_Socijalna\\_zashtita\\_161\\_24122008.pdf](http://www.pravo.org.mk/download/Zakoni/Sub/ID_Zakon_za_Socijalna_zashtita_161_24122008.pdf)

## 7. Ombudsman's reports:

- Annual Report 2000, Ombudsman of the Republic of Macedonia, Skopje 2001  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/lzvestaj-2000.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/lzvestaj-2000.pdf)
- Annual Report 2001, Ombudsman of the Republic of Macedonia, Skopje 2002  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/IZV-2001.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/IZV-2001.pdf)
- Annual Report 2002, Ombudsman of the Republic of Macedonia, Skopje 2003  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/lzvestaj%202002.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/lzvestaj%202002.pdf)
- Annual Report 2003, Ombudsman of the Republic of Macedonia, Skopje 2004  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/IZV-2003-mak.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/IZV-2003-mak.pdf)
- Annual Report 2004, Ombudsman of the Republic of Macedonia, Skopje 2005  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/IZV-2004-Mak.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/IZV-2004-Mak.pdf)
- Annual Report 2005, Ombudsman of the Republic of Macedonia, Skopje 2006  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/lzvestaj-2005-WEB.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/lzvestaj-2005-WEB.pdf)
- Annual Report 2006, Ombudsman of the Republic of Macedonia, Skopje 2007  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/IZVESTAJ-2006-makedonska%20verzija.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/IZVESTAJ-2006-makedonska%20verzija.pdf)
- Annual Report 2007, Ombudsman of the Republic of Macedonia, Skopje 2008  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/lzvestaj-2007-mak.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/lzvestaj-2007-mak.pdf)
- Annual Report 2008, Ombudsman of the Republic of Macedonia, Skopje 2009  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/Godisen%20izvestaj-2008.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/Godisen%20izvestaj-2008.pdf)
- Report on the Implementation of the Convention on the Rights of the Child and its Protocols 2000-2005, Ombudsman of the Republic of Macedonia, Skopje 2007  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/lzvestaj-mk-Konvencija%20za%20pravata%20na%20decata-%2024.10.2007.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/lzvestaj-mk-Konvencija%20za%20pravata%20na%20decata-%2024.10.2007.pdf)
- Information from the visits to primary and secondary schools for education of children about their rights and obligations, Ombudsman of the Republic of Macedonia, Skopje 2009  
[http://www.ombudsman.mk/comp\\_includes/webdata/documents/Informacija-Ucilsta-2009.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/Informacija-Ucilsta-2009.pdf)

- Special report of the Ombudsman on the Inclusion of Children with Special Needs in Education, Ombudsman of the Republic of Macedonia, Skopje 2006

[http://www.ombudsman.mk/comp\\_includes/webdata/documents/Posebni%20potrebi%20na%20decata1%20mak.pdf](http://www.ombudsman.mk/comp_includes/webdata/documents/Posebni%20potrebi%20na%20decata1%20mak.pdf)

### **Analyzed Documentation:**

- Concluding Observations of the Committee on the Rights of the Child in the Former Yugoslav Republic of Macedonia, CRC/C/15/Add.118, 23 February 2000; UN Committee on the Rights of the Child
- Initial report of State party, The Former Yugoslav Republic of Macedonia, Ministry of Foreign Affairs, Skopje July 27, 1997; CRC/C/8/Add.36
- Second Periodic Report of the Republic of Macedonia on the Convention on the Rights of the Child, Ministry of Foreign Affairs, Skopje June 2007
- National Action Plan on the rights of the child in the Republic of Macedonia, 2006 – 2015, Ministry of Foreign Affairs, Ministry of Education, Agency for Youth and Sport, Ministry of labour and social policy, Ministry of health, Ministry of Internal affairs, Information Agency, The Ombudsman of the Republic of Macedonia, Skopje December 2005
- Children in FYR of Macedonia, Analysis of the situation, UNICEF February 2009
- Schools fit for the children, analysis, UNICEF, August 15 2007
- Local Action plan for children rights 2009 – 2011, Municipality of Bitola, December 2008
- Local Action plan for children rights 2009 – 2011, Municipality of Shtip, January 2009
- Child-Focused Public Expenditure Review, UNICEF, 2009  
[http://www.unicef.org/tfymacedonia/MK\\_ChildFocusedPER\\_ENG.pdf](http://www.unicef.org/tfymacedonia/MK_ChildFocusedPER_ENG.pdf)
- Multiple Indicator Cluster Survey 2005-2006, UNICEF, State Statistical Office, 2007  
<http://www.unicef.org/tfymacedonia/MICS-ENG-1.pdf>
- National Programme for the Development of Education in the Republic of Macedonia 2005-2015 with Accompanying Programme Documents, Ministry of Education and Science, Skopje 2006  
<http://www.npro.edu.mk/>
- National Strategy for Roma in the Republic of Macedonia, Ministry of Labour and Social Policy of the Republic of Macedonia, Skopje 2004  
[http://www.mtsp.gov.mk/WBStorage/Files/strategija\\_romi.pdf](http://www.mtsp.gov.mk/WBStorage/Files/strategija_romi.pdf)
- Decade Watch: Roma Activists Assess the Progress of the Decade of Roma Inclusion 2005-2006, World Bank, OSI, Budapest 2007  
<http://demo.itent.hu/roma/portal/downloads/DecadeWatch/DecadeWatch%20%20Complete%20%28English;%20Final%29.pdf>
- National Action Plan on Education, Decade of Roma Inclusion 2005-2015 – Republic of Macedonia., Ministry of Labor and Social Policy, Skopje 2004  
[http://www.mtsp.gov.mk/WBStorage/Files/akcioneni\\_planovi.pdf](http://www.mtsp.gov.mk/WBStorage/Files/akcioneni_planovi.pdf)

***Annex 3 –List of interviewed key representatives in the area of protection of children’s rights***

1. Ms.Nevenka Krusharovska, Deputy Ombudsman on children rights
2. Mr. Sheldon Yett, UNICEF Representative
3. Mr. Zoran Stojanov, UNICEF monitoring and evaluation Officer
4. Ms. Svetlana Geleva, Head of human rights department in the Ministry of external affairs
5. Ms. Marija Miloshevska, former Head of the Unit for Children’s Rights in the Directorate for Development and Promotion of Education in the Languages of the Communities

## ***Annex 4 – About the Coalition SEGA***

Coalition of youth organizations SEGA was formed in 2004 and in the moment it includes 31 NGO members from different regions in the Republic of Macedonia. Coalition SEGA works in the area of youth participation in decision making processes since 2004. The Coalition, in partnership with the Agency of youth and sport, implemented and supported the preparation of the National Strategy for youth in 2004 – 2005. Primarily the focus of activities of the Coalition were young high school students, students and unemployed which completed the process of education at the age between 15 – 30, but according to the working strategy of the Coalition, the target group is extended with the aim of including children engaged in the system of primary education at the age of above 10 years and to work with them on education and mentorship for realization of the right to participation in education and local life and the right of association.

The other side of the work of the Coalition is the cooperation with local institutions (municipalities, schools, centers for social work, NGOs) with the aim of introducing the concept of participation of children and young people in the decision making process. In that sense, the Coalition has established an active cooperation with over 20 municipalities in the Republic of Macedonia together with whom they work on the preparation and introduction of models of participation for children and young people. On the national level, the Coalition mainly cooperates with the Agency on youth and sport and the MES in the preparation and adoption of youth policies with the aim of regulating the life of youth and youth organizing in the country. In the 2007-2009 period, the Coalition SEGA in partnership with the Agency on youth and sport of the Republic of Macedonia prepared and promoted the National Action Plan for implementation of the youth strategy, on the local level.

With the aim of strengthening the civil sector, the Coalition is realizing activities for strengthening the capacities of youth organizations and starts initiatives for establishment and support of new youth organizations especially in regions in which there is an absence of youth association, such as the region of Eastern Macedonia.

## ***Annex 5- About the research team***

The research team was comprised of three persons who have a special interest in the area of research, knowledge in the area of children's rights or knowledge and practical experience in the implementation of the methods of field research and analysis. These are young researchers with suitable academic background for undertaking of scientific research.

**Elizabeta Markovska Spasenoska**, the team leader holds M. S in HR management from the Institute of sociological, political and juridical research in Skopje, an institution which ranks high and renown in the area of field research. Elizabeta has a long - term experience in the civil sector, she mainly works with youth organizations and organizations that work on the realization of the right to education, particularly the Roma children. She has completed several analyses, evaluations of projects and organizational valuations.

**Marija Nashkovska** holds and MA in public administration from Maxwell Graduate School, Syracuse University, USA. Marija has experience in conducting focus groups related to minority issues, desk research and has completed a number of expert analysis and reports in the area of social inclusion.

**Teodora Ajanovska Gligorova** holds an MA in human rights from the Central European University in Budapest. She also holds a BA in pedagogy from the St. Cyril and Methodius University in Skopje. She has work experience in the area of implementation of children's rights with special focus on the right to education.

In the preparation of the representative sample of the survey with children and the preliminary processing of data, the research team cooperated with the **Center for research and policy making – CRPM**, an organization and a research center that works on the promotion of good governance and development in Macedonia on the basis of relevant research based on evidence, it delivers trainings, consultations and prepares research, analyses and evaluations.