



International  
Labour  
Office



THE STATE OF APPLICATION OF THE PROVISIONS  
FOR SOCIAL SECURITY OF THE INTERNATIONAL  
TREATIES ON SOCIAL RIGHTS RATIFIED BY

# The Former Yugoslav Republic of Macedonia

ILO  
TECHNICAL  
NOTE

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## Outline

CHAPTER I. Country profile: adequacy of social security benefits, income and poverty indicators. Determination of the Standard Reference Wage used for calculating the replacement level of benefits

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CHAPTER III. Concluding observations of the supervisory bodies concerning provisions of the ratified international treaties on social rights and statements of other international bodies reviewing national economic and social policy

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The information and data contained in the Technical Note is taken from the Government reports, on-line databases of the National Statistical office, official web-sites of the government departments, MISSCEO, MISSOC, SSI, ILOSTAT and EUROSTAT.

**List of international abbreviations:**

CAS	Committee on the Application of Standards, International Labour Conference
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Committee on Economic, Social and Cultural Rights
COE	Council of Europe
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ECSR	European Committee of Social Rights
ECSS	European Code of Social Security
ESC	European Social Charter
EU	European Union
EUROSTAT	Statistical Office of the European Union
GC	Governmental Committee of the European Social Charter and European Code of Social Security
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILS	International Labour Standards
IMF	International Monetary Fund
MISSEO	Mutual Information System on Social Protection of the Council of Europe
MISSOC	Mutual Information System on Social Protection
OECD	Organisation for Economic Co-operation and Development
SSI	Social Security Inquiry

*CHAPTER I. Country profile: adequacy of social security benefits, income and poverty indicators. Determination of the Standard Reference Wage used for calculating the replacement level of benefits*

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## Country profile by Eurostat indicators, national indicators and minimum standards of social security

<b>Table 1. Eurostat indicators</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>At-risk-of-poverty threshold (40%, single person)</b>	€729	€761	€780
<b>At-risk-of-poverty threshold (50%, single person)</b>	€911	€952	€975
<b>At-risk-of-poverty threshold (60%, single person)</b>	€1,093	€1,142	€1,169
<b>At-risk-of-poverty rate –(40%, of median equivalised income)</b>	15.5%	13.8%	12.1%
<b>At-risk-of-poverty rate –(50%, of median equivalised income)</b>	21.0%	19.1%	16.2%
<b>At-risk-of-poverty rate after social transfers –(60%, of median equivalised income)</b>	26.2%	24.2%	22.1%
<b>At-risk-of-poverty rate before social transfers, pensions excluded –(60%, of median equivalised income)</b>	28.8%	26.8%	24.8%
<b>Aggregate replacement ratio</b>	0.559	0.60	0.65
<b>Severe material deprivation (% of total population)</b>	40.9%	37.7%	35.7%
<b>Gini coefficient</b>	38.8	37.0	35.2

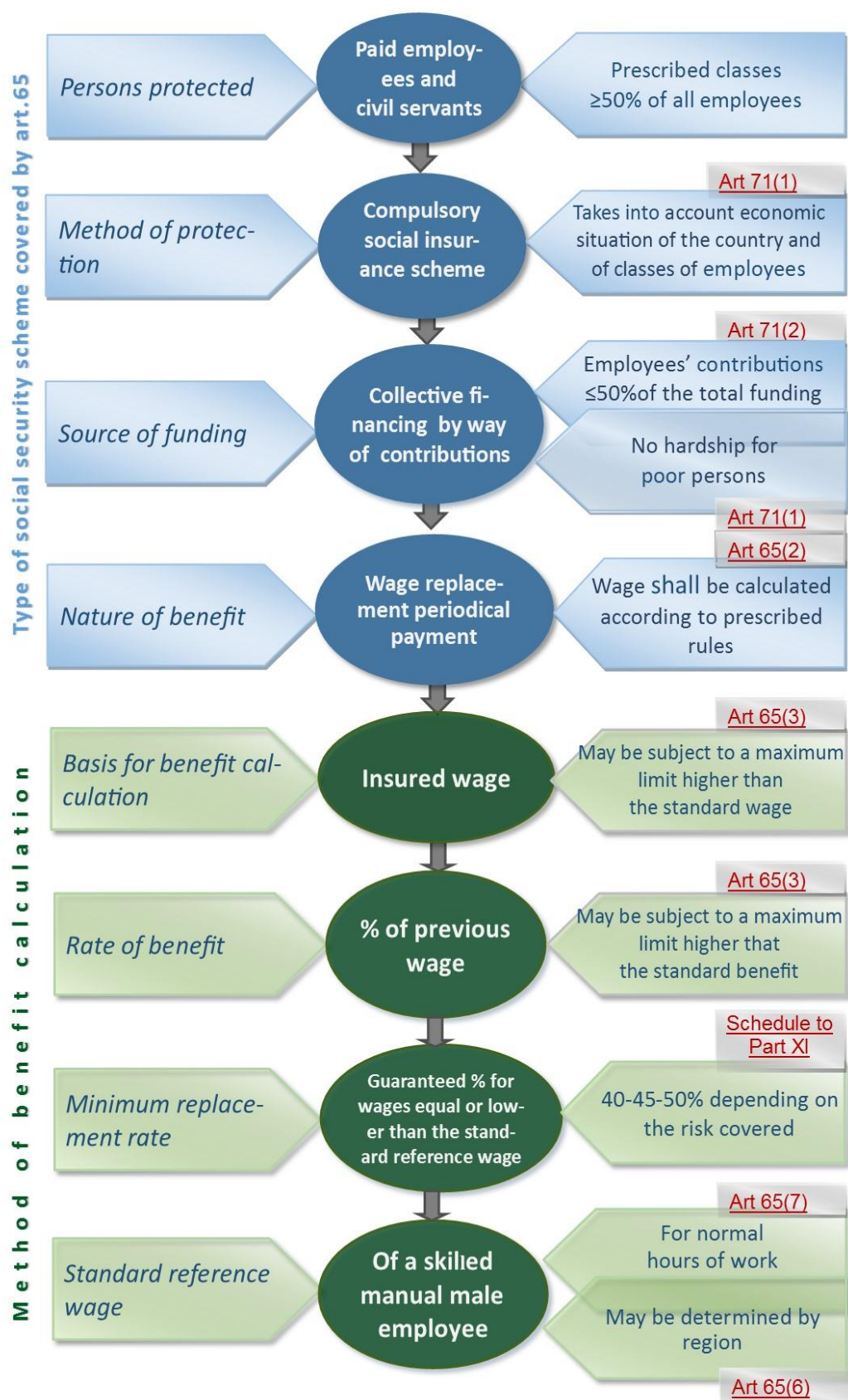
<b>Table 2. MISSCEO (2015)</b>	
<b>Social Security branch</b>	<b>Compensation rate</b>
<b>Sickness benefit</b>	70% of the basis during the sickness leave
<b>Unemployment benefit</b>	50% of reference earnings for up to 12 months; 40% - in the remaining period
<b>Old-age benefit</b>	Percentage of reference earnings (the pension basis) according to the length of insurance period: 35-80% of the pension basis
<b>Employment injury benefit</b>	100% of the basis for work injuries and occupational diseases, tissue or organ donation
<b>Family benefit</b>	Child benefit (8-19% of the minimum wage), child raising allowances and child care allowances, including children with special needs
<b>Maternity benefit</b>	100% of the average monthly net wage paid 12 months prior to the maternity leave
<b>Invalidity benefit</b>	80% of the pension basis; 38% of the pension basis - minimum invalidity benefit for men, 44% - for women
<b>Survivor's benefit</b>	70% of the basis for the first survivor, 10% - for each additional

**Table 3. Government report (2016)**

<i>Pension and Disability benefit</i>	Pension age: 64 years (men), 62 years (women)	At least 15 years of work experience
	every seven years spent on job positions where 12 effectively passed months are calculated as a work insurance period of 13 months	
	every six years spent on job positions where 12 effectively passed months are calculated as a work insurance period of 14 months	
	every five years spent on job positions where 12 effectively passed months are calculated as a work insurance period of 15 months	
	every four years spent on job positions where 12 effectively passed months are calculated as a work insurance period of 16 months	
	every three years and six months spent on job positions where 12 effectively passed months are calculated as a work insurance period of 17 months	
	every three years spent on job positions where 12 effectively passed months are calculated as a work insurance period of 18 months	
<i>Pension base</i>	<p>Monthly average salaries that the insured person has earned for the entire duration of the insurance, and earliest from January 1<sup>st</sup>, 1970; the compensation for salaries shall also be calculated, i.e. the monetary fee in case of unemployment.</p> <p>The total salary earned by working full time, part time or overtime for a period of one year shall be computed to the monthly average amount that matches the full time salary.</p>	
<i>Minimum pension</i>	<p>The lowest amount for age pension acquired from mandatory pension and disability insurance, based on generational solidarity and the pension acquired from mandatory fully funded pension insurance shall not be lower than the established average salary of all employees in the Republic of Macedonia in 2002.</p> <p>the beneficiaries who acquired their pension with a pension insurance period of over 35 year (men), i.e. over 30 year (women), in the amount of 41%</p> <p>the beneficiaries who acquired their pension with a pension insurance period of over 25 year (men), i.e. over 20 year (women), in the amount of 38%</p> <p>the beneficiaries who acquired their pension with a pension insurance period of up to 25 year (men), i.e. up to 20 year (women), in the amount of 351%</p>	
<i>Temporary disability</i>	<p>The base for calculating the salary compensation is be the average monthly amount of the paid salary for which the mandatory health insurance fees were paid in the last twelve months prior to occurrence of the case due to which the insured person is acquiring the right to compensation.</p> <p>70% of the base for salary compensation at most</p>	
<i>Temporary disability -Injury at work</i>	100% of the basis of the compensation of salary	
<i>Maternity benefit</i>	100% of the base for the salary compensation	
<i>Disability benefit</i>	category I – if the working capacity of the insured is reduced by more than 80% there is a permanent loss of working capacity (general incapacity to work)	
	category II – if the working capacity of the insured is reduced by more than 50% and up to 80% (professional incapacity for work)	

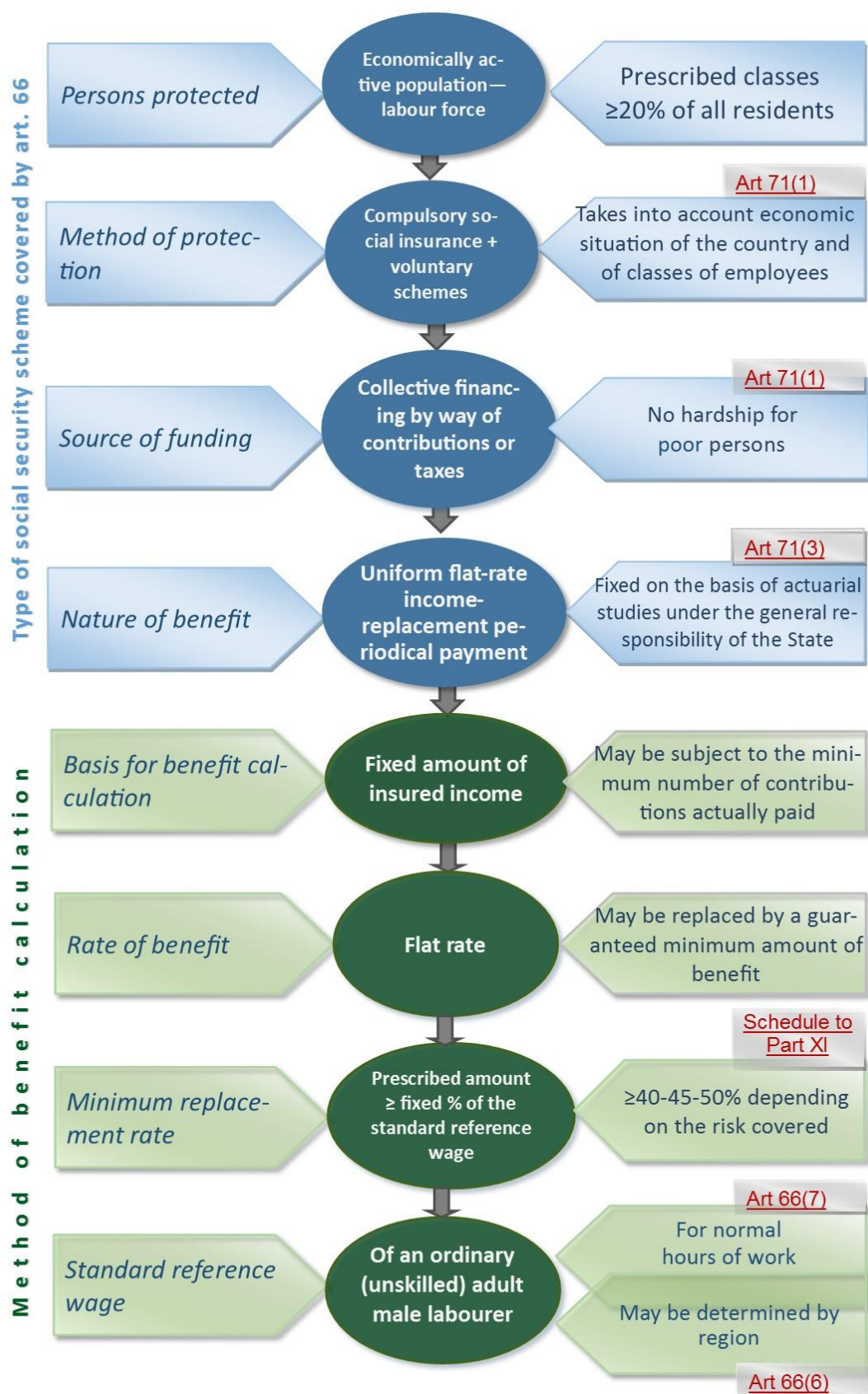


**Fig. 1. Article 65: Type of social security schemes and method of benefit calculation**

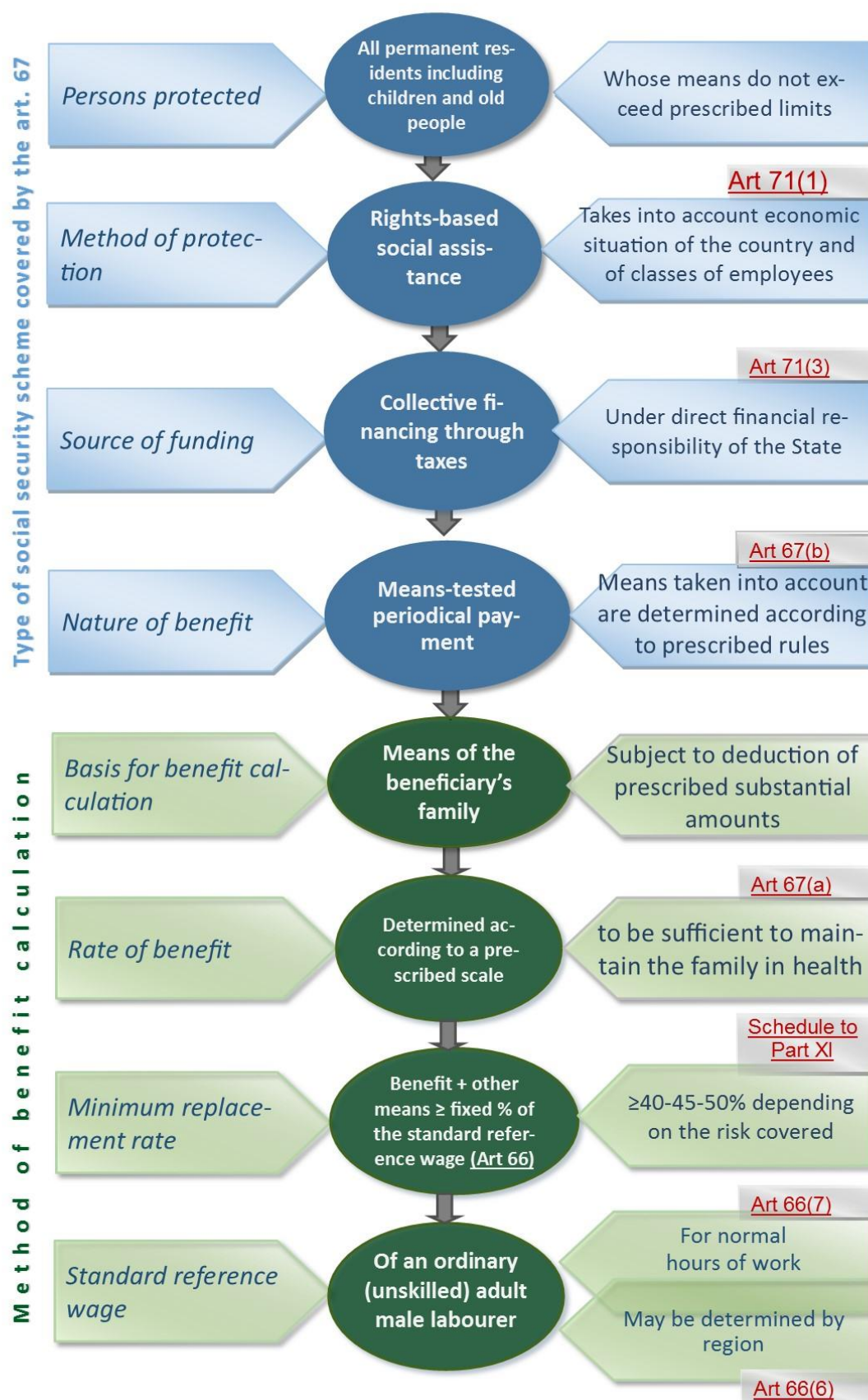




**Fig. 2. Article 66: Type of social security schemes and method of benefit calculation**



**Fig. 3. Article 67: Type of social security schemes and method of benefit calculation**



**Table 4. Calculation of the reference wage under all options permitted by Articles 65-66 of the C102**

Articles in the ECSS/C.102		Comments	Reference wage: amount	
			ILO calculations <sup>1</sup> -2010	Government <sup>2</sup>
Article 65 (para 6): a skilled manual male employee				
Option 1	Art.65 (6)a: a fitter or turner in the manufacture of machinery other than electrical machinery	occupations of fitter and turner can be found among skilled employees of ISCO 08 <sup>3</sup> (group 7)	N/A	
Option 2	Art.65 (6)b: a person deemed typical of skilled labour	a skilled employee of the ISIC rev.4 <sup>4</sup> group with the highest number of male employees: <i>typical skilled male worker in manufacturing</i>	322 euros	
Option 3	Art.65 (6)c: a person whose earnings are equal to 125 per cent of the average earnings of all the persons protected	in countries where all employees are protected average wage is normally used	598 euros	
Article 66 (para 4): an ordinary manual male labourer				
Option 4	Art.66 (4)a: a person deemed typical of unskilled labour in the manufacture of machinery other than electrical machinery	an employee of the ISIC rev.4 Manufacture of machinery (2-digit level of the classification: ISIC Rev.4 Section C. Manufacturing, code 28)	N/A	
Option 5	Art.66 (4)b: a person deemed typical of unskilled labour	an unskilled employee of the ISIC rev.4 group with the highest number of male employees: <i>typical unskilled male worker in manufacturing</i>	356 euros**	

\* Gross wages are used unless stated otherwise

\*\*Check with the country

<sup>1</sup> ILO calculations based on EUROSTAT data from Labour Force Survey - LFS-2013 and SES-2010 (see detailed information further)

<sup>2</sup> Reference wage reported by the Government on the application of ECSS and C.102

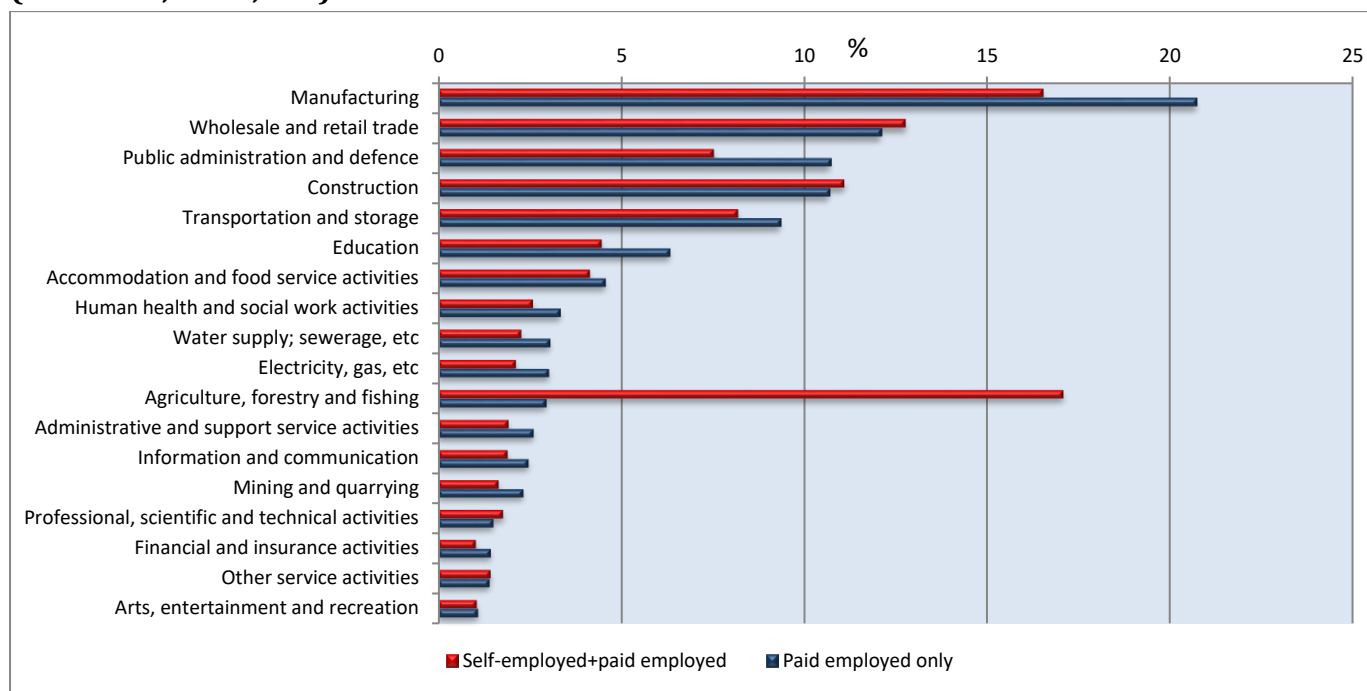
<sup>3</sup> ISCO 08 – International Standard Classification of Occupations 2008 (detailed explanation to follow) <http://www.ilo.org/public/english/bureau/stat/isco/isco08/>

<sup>4</sup> ISIC rev.4 - International Standard Industrial Classification of All Economic Activities, Rev.4, 2008  
<http://unstats.un.org/unsd/cr/registry/isic-4.asp>

## ILO assessment of the options offered by articles 65-66:

### OPTION 2 - a typical manual male employee is found in the sector with the highest number of employed males = Manufacturing

**Fig. 4. Share of employed males by economic activity in total male employment and share of males in paid employment by economic activity in total number of males in paid employment (ISIC rev.4, 2013, LFS)**



Source: Eurostat LFS - [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsa\\_egaps&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsa_egaps&lang=en)

**Fig. 5. The average wages of a typical skilled/unskilled manual male employee are determined by cross-tabulating of the two classifications:**

- ISCO 08 – International Standard Classification of Occupations (group 7- skilled and 9 – ordinary)
- ISIC rev.4 - International Standard Industrial Classification of All Economic Activities, Rev.4, 2008

		ISCO 08	
ISIC rev.4	ISCO 08	Total	7. Craft and related trades workers
	ISIC rev.4		9. Elementary occupations
	Total		
	...		
C. Manufacturing			skilled
			unskilled
...			

ISCO 08:

#### ISCO 08: Major group 7

Craft and related trades workers apply their specific knowledge and skills to produce or process goods. The tasks call for an understanding of all stages of the production process, the materials and tools used and the nature and purpose of the final product. Most occupations in this group require skills at the second ISCO level.

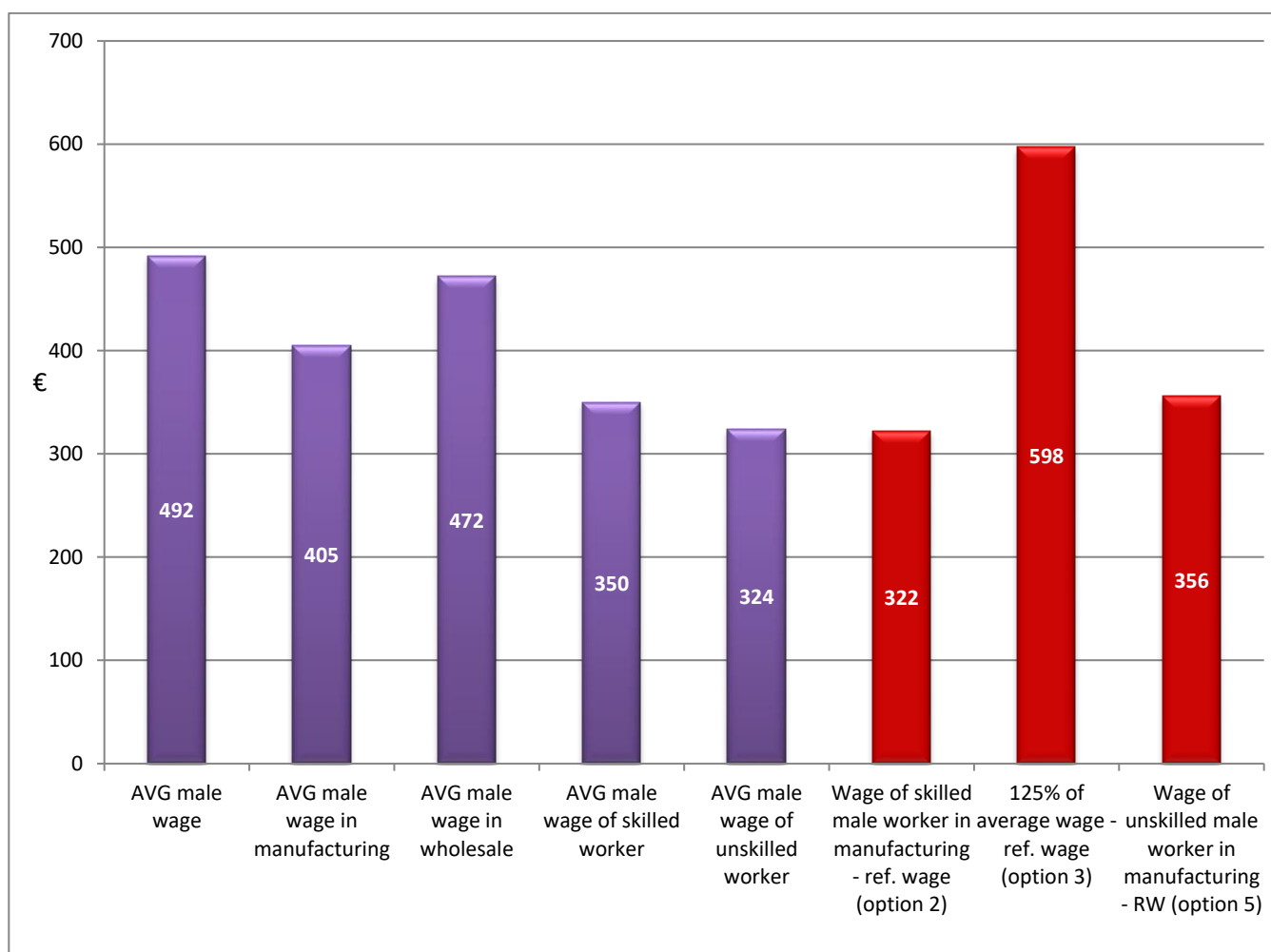
The work is carried out by hand and by hand-powered and other tools.

#### ISCO 08: Major group 9

Elementary occupations involve the performance of simple and routine tasks which may require the use of hand-held tools and considerable physical effort.

Most occupations in this major group require skills at first level of ISCO (involve physical and manual tasks, require only primary education at most)

**Fig. 6. Comparison of the reported reference wage to other wage indicators in FYROM, 2010, euros**



Source: Eurostat SES - [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn\\_ses10\\_48&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en) and [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn\\_ses\\_monthly&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses_monthly&lang=en) for option 3 – 125% of average wage (include both full-time and part-time employees)



*CHAPTER II. Integrated Management of compliance and reporting obligations of the Former Yugoslav Republic of Macedonia under social security provisions of the ratified international treaties on social rights*

- [Table 1. Up-to-date social security standards in force](#)
- [Table 2. Pending comments of the supervisory bodies](#)
- [Table 3. Up-to-date standards on which reports are due in 2016](#)
- [Table 4. Up-to-date standards on which reports are due in 2017](#)
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- [Parts of Convention No.102 no longer applicable following ratification of more advanced standards](#)
- [Fig. 1. Time management of the 5 years reporting cycle \(2011-2016/17\) on international and European social security standards](#)
- [Fig. 2. Time management for reporting on social security standards in 2016](#)



**Table 1. Up-to-date social security standards in force**

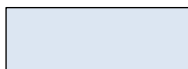
Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICESCR	Right to Social Security Art.9										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a §ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§2§4, 15§2	Art.16	Art.8§1	Art.15§1		Art.4§1,14,30	
					Art.3§1§3	Art.27§1b,c		Art.15§3	Art.13§1§2§3		
	Right to Social Security Art.12§1§2§3										
Protocol	II	III	IV	V	VI	VII	VIII	IX	X	Schedule to XI	
ECSS	Medical care Part II	Sickness benefit Part III	Unemployment benefit Part IV	Old-age benefit Part V	Employment injury benefit Part VI	Family benefit Part VII	Maternity benefit Part VIII	Invalidity benefit Part IX	Survivor's benefit Part X	Level of benefits Part XI	Financing& Organization Part XII
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
Advanced ILO Conventions	C130 Part II	C130 Part III	C168	C128 Part III	C121		C183 Art.6,7	C128 Part II	C128 Part IV	C121 Art.19-21	C121 Art.22-26
										C128 Part V, C130 Part III, C168 Art.15,16	C128 Part VI, C130 Part IV, C168 Part VIII
First generation ILO Conventions		C024 C025 C056	C044	C035 C036	C012 C017 C018		C003	C037 C038	C039 C040		C24 Art.6-8, C25 Art.6-8, C44 Art.10, C35Art.8- 11, C37Art.11-12, C39, Art.13-14
					C042		C103				



Social Security Standards in force for FYROM



Denounced standards



Social Security Standards not in force

C103 - Automatic Denunciation on 03 Oct 2013 by C183

C102 - Part VI is no longer applicable as a result of the ratification of C121

**Table 2. Pending comments of the supervisory bodies**

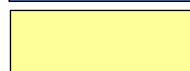
Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICESCR	Right to Social Security Art.9										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a §ii, 11§1	Art.2§1, 👎 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11,		👎 Art.1§1	Art.23	Art.3§2§4,	👎 Art.16	Art.8§1	👎 Art.15§1		Art.4§1,14,30	
	👎 13§1		Art.1§3		👎 Art. 15§2 Art.3§1§3	Art.27§1b,c		Art.15§3		👎 Art.13§1 Art. 13 §2§3	
	👎 Right to Social Security Art.12§1§2§3										
Protocol	II	III	IV	V	VI	VII	VIII	IX	X	Schedule to XI	
ECSS	Medical care Part II	Sickness benefit Part III	Unemployment benefit Part IV	Old-age benefit Part V	Employment injury benefit Part VI	Family benefit Part VII	Maternity benefit Part VIII	Invalidity benefit Part IX	Survivor's benefit Part X	Level of benefits Part XI	Financing& Organization Part XII
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
Advanced ILO Conventions	C130 Part II	C130 Part III	C168	C128 Part III	C121		C183 Art.6,7	C128 Part II	C128 Part IV	C121 Art.19-21	C121 Art.22-26
										C128 Part V, C130 Part III, C168 Art.15,16	C128 Part VI, C130 Part IV, C168 Part VIII
First generation ILO Conventions		C024 C025	C044	C035 C036	C012 C017 C018		C003	C037 C038	C039 C040		C24 Art.6-8, C25 Art.6-8, C44 Art.10, C35Art.8- 11, C37Art.11-12, C39, Art.13-14
		C056			C042		C103				



Social Security Standards in force for FYROM



Social Security Standards not in force



Pending comments of the supervisory bodies



Critical comments or non-compliance

**Table 3. Up-to-date standards on which reports are due in 2016**

Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICESCR*	Right to Social Security Art.9										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a §ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§2§4, 15§2	Art.16	Art.8§1	Art.15§1		Art.4§1,14,30	
					Art.3§1§3	Art.27§1b,c		Art.15§3		Art.13§1§2§3	
	Right to Social Security Art.12§1§2§3										
Protocol	II	III	IV	V	VI	VII	VIII	IX	X	Schedule to XI	
ECSS	Medical care Part II	Sickness benefit Part III	Unemployment benefit Part IV	Old-age benefit Part V	Employment injury benefit Part VI	Family benefit Part VII	Maternity benefit Part VIII	Invalidity benefit Part IX	Survivor's benefit Part X	Level of benefits Part XI	Financing& Organization Part XII
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
Advanced ILO Conventions	C130 Part II	C130 Part III	C168	C128 Part III	C121		C183 Art.6,7	C128 Part II	C128 Part IV	C121 Art.19-21	C121 Art.22-26
										C128 Part V, C130 Part III, C168 Art.15,16	C128 Part VI, C130 Part IV, C168 Part VIII
First generation ILO Conventions		C024 C025	C044	C035 C036	C012		C003	C037 C038	C039 C040		C24 Art.6-8, C25 Art.6-8, C44 Art.10, C35Art.8- 11, C37Art.11-12, C39, Art.13-14
		C017 C018			C103						
		C056			C042						



Social Security Standards in force for FYROM



Social Security Standards not in force



Report in 2016

\* ICESCR – State report received in 2014, reply to List of Issues is due in 2016

**Table 4. Up-to-date standards on which reports are due in 2017**

<div>Social Human Rights</div> <div>International treaties</div>	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
ICESCR	Right to Social Security Art.9										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a §ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§2§4, 15§2	Art.16	Art.8§1	Art.15§1		Art.4§1,14,30	
					Art.3§1§3	Art.27§1b,c		Art.15§3		Art.13§1§2§3	
	Right to Social Security Art.12§1§2§3										
Protocol	II	III	IV	V	VI	VII	VIII	IX	X	Schedule to XI	
ECSS	Medical care Part II	Sickness benefit Part III	Unemployment benefit Part IV	Old-age benefit Part V	Employment injury benefit Part VI	Family benefit Part VII	Maternity benefit Part VIII	Invalidity benefit Part IX	Survivor's benefit Part X	Level of benefits Part XI	Financing& Organization Part XII
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Advanced ILO Conventions	C130 Part II	C130 Part III	C168	C128 Part III	C121		C183 Art.6,7	C128 Part II	C128 Part IV	C121 Art.19-21	C121 Art.22-26
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First generation ILO Conventions		C024 C025 C056	C044	C035 C036	C012 C017 C018		C003	C037 C038	C039 C040		C24 Art.6-8, C25 Art.6-8, C44 Art.10, C35Art.8-11, C37Art.11-12, C39, Art.13-14
					C042		C103				



Social Security Standards in force for FYROM



Social Security Standards not in force



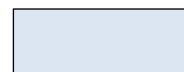
Report in 2017

Table 5. Up-to-date standards on which reports are due in 2018

Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICESCR	Right to Social Security Art.9										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a §ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§2§4, 15§2	Art.16	Art.8§1	Art.15§1		Art.4§1,14,30	
					Art.3§1§3	Art.27§1b,c		Art.15§3		Art.13§1§2§3	
	Right to Social Security Art.12§1§2§3										
Protocol	II	III	IV	V	VI	VII	VIII	IX	X	Schedule to XI	
ECSS	Medical care Part II	Sickness benefit Part III	Unemployment benefit Part IV	Old-age benefit Part V	Employment injury benefit Part VI	Family benefit Part VII	Maternity benefit Part VIII	Invalidity benefit Part IX	Survivor's benefit Part X	Level of benefits Part XI	Financing& Organization Part XII
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
Advanced ILO Conventions	C130 Part II	C130 Part III	C168	C128 Part III	C121		C183 Art.6,7	C128 Part II	C128 Part IV	C121 Art.19-21	C121 Art.22-26
										C128 Part V, C130 Part III, C168 Art.15,16	C128 Part VI, C130 Part IV, C168 Part VIII
First generation ILO Conventions		C024 C025 C056	C044	C035 C036	C012 C017 C018		C003	C037 C038	C039 C040		C24 Art.6-8, C25 Art.6-8, C44 Art.10, C35Art.8- 11, C37Art.11-12, C39, Art.13-14
					C042		C103				



Social Security Standards in force for FYROM



Social Security Standards not in force



Report in 2018

**Parts of Convention No.102 no longer applicable following ratification of more advanced standards**

**C102 - Social Security (Minimum Standards)**

*Article 75*

If any Convention which may be adopted subsequently by the Conference concerning any subject or subjects dealt with in this Convention so provides, such provisions of this Convention as may be specified in the said Convention shall cease to apply to any Member having ratified the said Convention as from the date at which the said Convention comes into force for that Member.

**C121 - Employment Injury Benefits → C102, Part IV**

*Article 29*

In conformity with Article 75 of the Social Security (Minimum Standards) Convention, 1952, Part VI of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention comes into force for that Member, but acceptance of the obligations of this Convention shall be deemed to constitute acceptance of the obligations of Part VI of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention

**C128 - Invalidity, Old-Age and Survivors' Benefits → C102, Parts V, IX, X**

*Article 45*

1. In conformity with the provisions of Article 75 of the Social Security (Minimum Standards) Convention, 1952, the following Parts of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention is binding on that Member and no declaration under Article 38 is in force:

- (a) Part IX where the Member has accepted the obligations of this Convention in respect of Part II;
- (b) Part V where the Member has accepted the obligations of this Convention in respect of Part III;
- (c) Part X where the Member has accepted the obligations of this Convention in respect of Part IV.

2. Acceptance of the obligations of this Convention shall, on condition that no declaration under Article 38 is in force, be deemed to constitute acceptance of the obligations of the following parts of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention:

- (a) Part IX where the Member has accepted the obligations of this Convention in respect of Part II;
- (b) Part V where the Member has accepted the obligations of this Convention in respect of Part III;
- (c) Part X where the Member has accepted the obligations of this Convention in respect of Part IV.

### **C130 - Medical Care and Sickness Benefits → C102, Part III**

#### *Article 36*

1. In conformity with the provisions of Article 75 of the Social Security (Minimum Standards) Convention, 1952, Part III of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention is binding on that Member and no declaration under Article 3 is in force.
2. Acceptance of the obligations of this Convention shall, on condition that no declaration under Article 3 is in force, be deemed to constitute acceptance of the obligations of Part III of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention.

### **C130, Part II → C102, Part II**

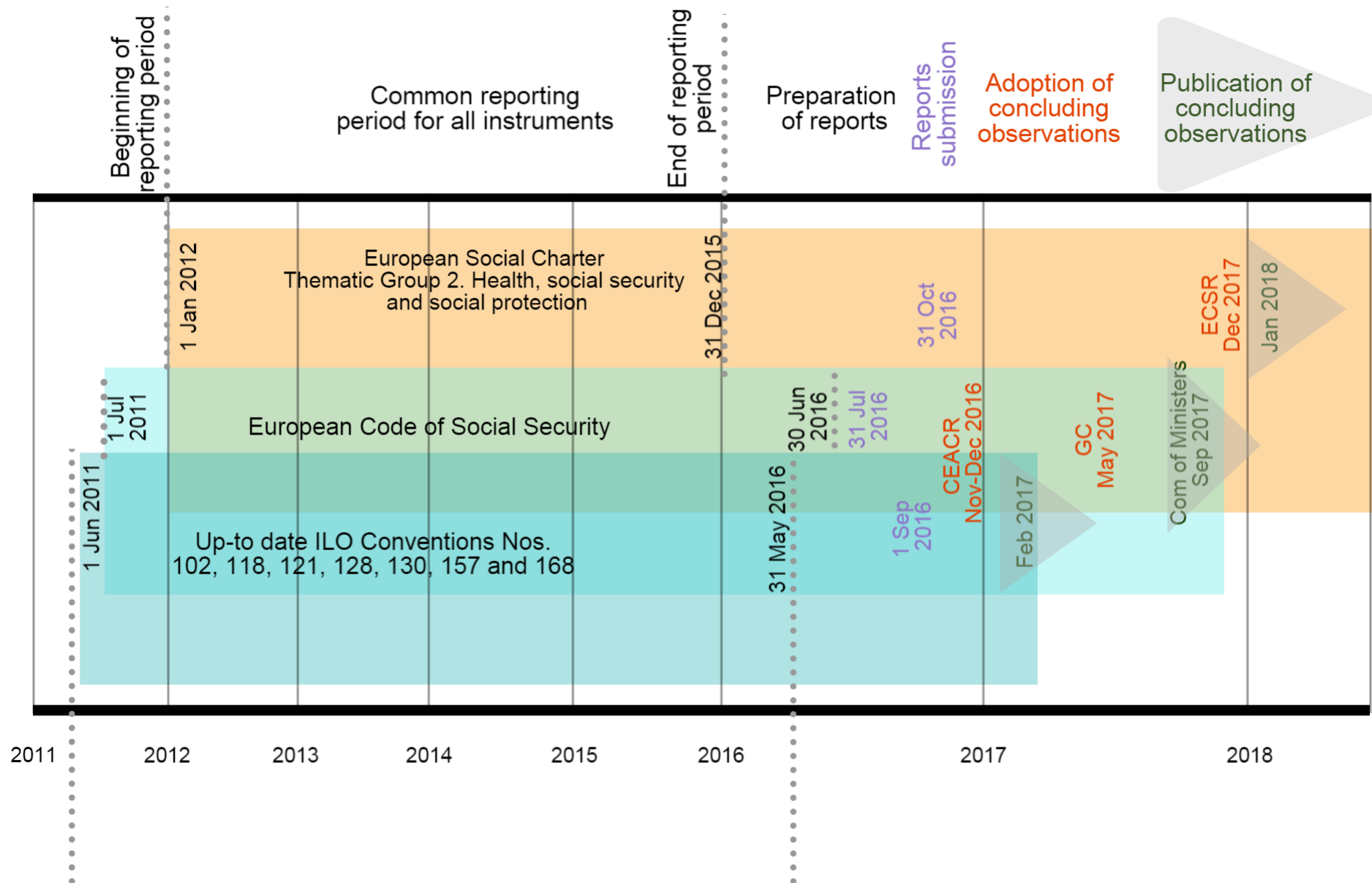
N.B! For information and reporting purposes, more advanced provisions on medical care contained in C130 include all those contained in Part II of C102.

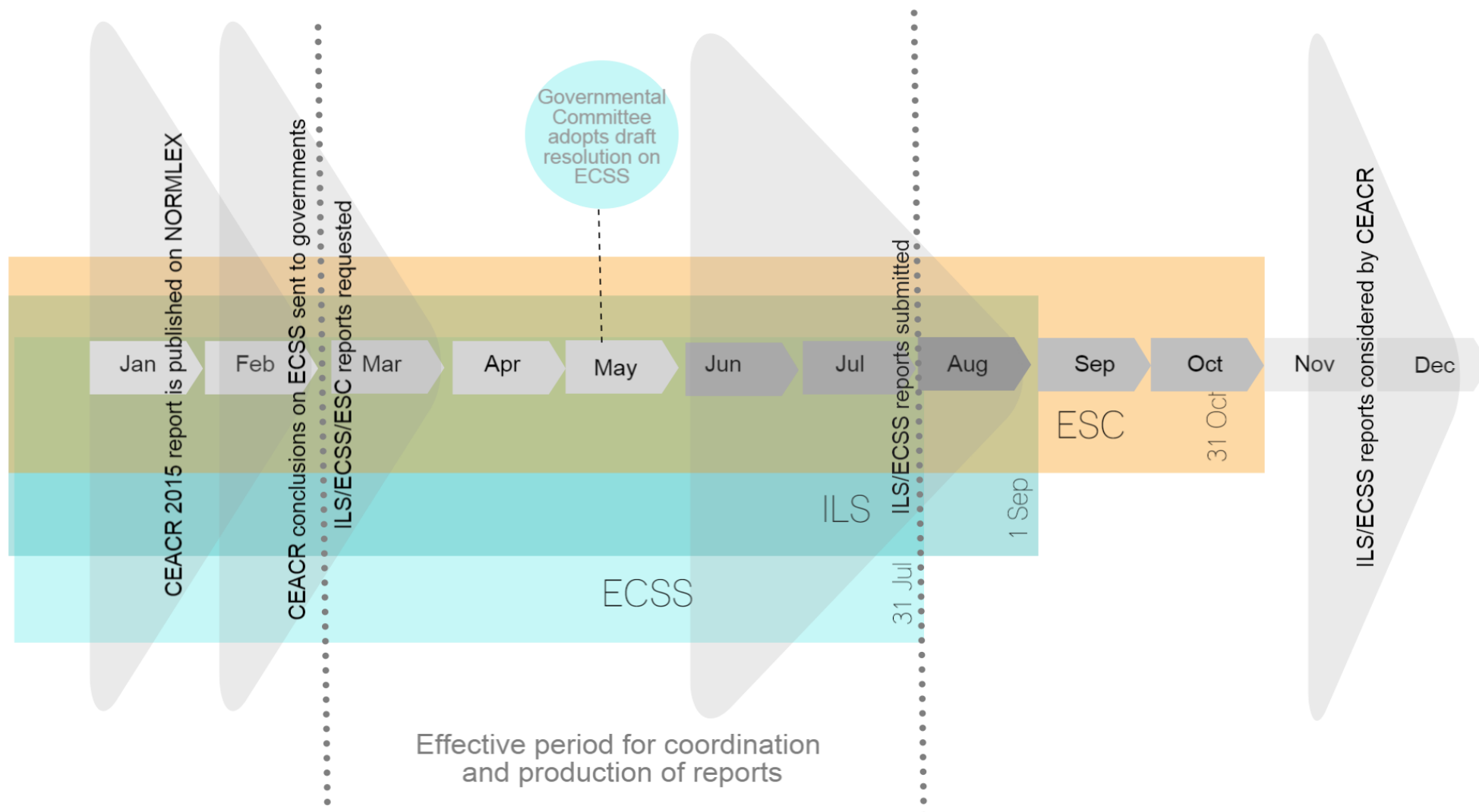
### **C168 → C102, Part IV**

N.B! For information and reporting purposes, more advanced provisions on unemployment benefit of C168 include those contained in Part IV of C102.



Fig. 1. Time management of the 5 years reporting cycle (2011-2016/17) on international and European social security standards





**Fig. 2. Time management for reporting on social security standards in 2016**

*Chapter III. Concluding observations of the supervisory bodies concerning provisions of the ratified international treaties on social rights and statements of other international bodies reviewing national economic and social policy*

- [Table 1. International treaties on social rights ratified by FYROM](#)
- [Table 2. Monitoring Mechanisms of State Party Compliance and Reporting Obligations](#)

**1. United Nations**

- [International Covenant on Economic, Social and Cultural Rights](#)
- [Convention on the Rights of the Child](#)
- [Convention on the Elimination of All Forms of Discrimination against Women](#)
- [Convention on the Right of Persons with Disabilities](#)

**2. Council of Europe**

- [European Social Charter](#)

**3. International Labour Organization**

- [Social Security \(Minimum Standards\) Convention, 1952 \(No.102\)](#)
- [Employment Injury Benefits Convention, 1964 \(No.121\)](#)
- [Maternity Protection Convention, 2000 \(No. 183\)](#)
- [Maternity Protection Convention, 1919 \(No. 003\)](#)
- [Sickness Insurance \(Industry\) Convention, 1927 \(No. 024\)](#)
- [Sickness Insurance \(Agriculture\) Convention, 1927 \(No. 025\)](#)

**Table 1. In force international treaties on social rights ratified by Former Yugoslav Republic of Macedonia**

Body	International Treaty	Entry into force for The Former Yugoslav Republic of Macedonia	Next report due on
United Nations	ICESCR	18 Jan 1994	Submitted 17 Feb 2014
	Convention on the Rights of the Child	2 Dec 1993	16 Mar 2017
	Convention on the Elimination of All Forms of Discrimination against Women	18 Jan 1994	01 Mar 2017
	Convention on the Rights of People with Disabilities	29 Dec 2011	Submitted 03 Oct 2014
Council of Europe	European Code of Social Security		
	European Social Charter	06 Jan 2012	31 Oct 2016
International Labour Organization	Convention 102	17 Nov 1991	1 Jun - 1 Sep 2016
	Convention 103		
	Convention 121	17 Nov 1991	1 Jun - 1 Sep 2016
	Convention 128		
	Convention 130		
	Convention 168		
	Convention 183	03 Oct 2012	1 Jun - 1 Sep 2018
	Convention 003	17 Nov 1991	1 Jun - 1 Sep 2018
	Convention 012	17 Nov 1991	1 Jun - 1 Sep 2016
	Convention 024	17 Nov 1991	1 Jun - 1 Sep 2016
	Convention 025	17 Nov 1991	1 Jun - 1 Sep 2016

**Table 2. Monitoring Mechanisms of State Party Compliance and Reporting Obligations**

<b>Instrument</b>	<b>Supervisory body</b>	<b>Type of a State party report/Reporting cycle</b>	<b>Comments of a supervisory body</b>
International Covenant on Economic, Social and Cultural Rights <b>(ICESCR)</b>	Committee on Economic, Social and Cultural Rights <b>(CESCR)</b>	Periodic reports – every 5 years; initial report – within one year after the entry into force (Art.17)	Concluding observations of the CESCR
Convention on the Rights of the Child	Committee on the Rights of the Child <b>(CRC)</b>	Periodic reports – every 5 years; initial report – within two years after the entry into force (Art.44)	Concluding observations of the CRC
Convention on the Elimination of All Forms of Discrimination against Women	Committee on the Elimination of Discrimination against Women <b>(CEDAW)</b>	Periodic reports – every 4 years; initial report – within one year after the entry into force (Art.18)	Concluding observations of the CEDAW
Convention on the Rights of People with Disabilities	Committee on the Rights of Persons with Disabilities <b>(CRPD)</b>	Periodic reports – every 4 years; initial report – within two years after the entry into force (Art.35)	Concluding observations of the CRPD
European Code of Social Security <b>(ECSS)</b>	ILO Committee of Experts on the Application of Conventions and Recommendations <b>(CEACR)</b> ; European Committee on Social Rights <b>(ECSR)</b> ; Governmental Committee of the European Social Charter and the European Code of Social Security; Committee of Ministers of the Council of Europe.	Full reports – every five years in conjunction with the ILO Convention 102; Annual reports every year (Art.74).	Conclusions of the CEACR; Report and recommendations of the GC; Resolutions of the Committee of Ministers.
European Social Charter/ Revised European Social Charter <b>(ESC)</b>	European Committee on Social Rights <b>(ECSR)</b> ; Governmental Committee <b>(GC)</b> of the European Social Charter and the European Code of Social Security; Committee of Ministers of the Council of Europe.	Normal reports – annually on one of four thematic groups; simplified reports – every two years in case of acceptance of the collective complaints procedure.	Conclusions (national reports) and decisions (collective complaints) of the ECSR; Report and recommendations of the GC; Resolutions of the Committee of Ministers.
ILO Conventions (C102, C121, C128, C130, C168, C183)	Committee of Experts on the Application of Conventions and Recommendations <b>(CEACR)</b> ; Conference Committee on the Application of Standards <b>(CAS)</b> .	Five-year cycle – simplified reports under the ILO technical conventions; detailed report – one year following the entry into force.	Observations and direct requests of the CEACR; Conclusions of the CAS.

## 1. United Nations

### UN Covenant on Economic, Social and Cultural Rights – Concluding observations 2016

*[UN Office of the High Commissioner for Human Rights website link, Treaty bodies database](#)*

#### Data collection

7. The Committee regrets that the State party has postponed the population census originally planned for 2011 and that, as a result, there are no updated data on the composition of the population. The Committee is also concerned at the insufficient statistical data provided by the State party on the realization of economic, social and cultural rights.

**8. The Committee urges the State party to conduct the population census without further delay. It recommends that the State party take all measures necessary to improve its data collection system to enable the timely collection of reliable data on the situation in all areas of Covenant rights, robust analysis, and effective and efficient data management.**

#### Impact of decentralization on the enjoyment of economic, social and cultural rights

9. The Committee notes that some responsibilities of the central Government, particularly in the areas of social security, water and sanitation, primary health care and other public services, and primary and secondary education, have been devolved to municipalities in the process of decentralization. The Committee is concerned, however, at the large discrepancies in administrative and financial capacities among municipal authorities, which may have discriminatory effects on the enjoyment of the economic, social and cultural rights of the people living in different parts of the State party, particularly those living in rural areas.

**10. The Committee reminds the State party that decentralization of powers by no means reduces the responsibility of the State party for fulfilling its obligations under the Covenant. The Committee recommends that the State party increase the awareness of the municipal authorities regarding their obligations under the Covenant and take all measures necessary to enable all municipalities to carry out their responsibilities with a view to ensuring that all people, in urban and rural areas, enjoy the Covenant rights on an equal basis, including monitoring by the central Government of the implementation of the Covenant rights by municipalities. The Committee also recommends that the State party conduct a comprehensive analysis of the impact of the decentralization process on the enjoyment of economic, social and cultural rights.**

#### Roma

23. The Committee is concerned at the lack of statistical data on Roma, which does not allow for effective implementation of policies targeted at the Roma population. It remains concerned at the structural discrimination facing Roma in a number of spheres of social life and their low socioeconomic status in the State party, illustrated by very high poverty and unemployment rates, low labour market participation rates and very low life expectancy. It is also concerned that there are still a number of Roma who are not registered and may have limited access to public services as a result (art. 2 (2)).

**24. The Committee recommends that the State party intensify its efforts to eradicate the structural discrimination against Roma and to improve their socioeconomic status, including by designing targeted policies and programmes for the realization of the**

economic, social and cultural rights of the Roma population on the basis of reliable statistical data as well as thorough and regular monitoring of the results of such policies and programmes. The Committee also recommends that the State party take all measures necessary to issue identity cards to all Roma and to address the situation of stateless persons in line with the requirements of the Convention relating to the Status of Stateless Persons of 1954 .

### **Lesbian, gay, bisexual, transgender and intersex persons**

25. The Committee is concerned that the Law on the Prevention of and Protection against Discrimination does not include sexual orientation or gender identity as prohibited grounds of discrimination and that article 14 (6) of the Law maintains discrimination between opposite-sex unions, for which the concept of “family” is reserved, and same-sex unions. It is also concerned that university textbooks convey negative stereotypes of lesbian, gay, bisexual, transgender and intersex persons. It is further concerned that such persons are bullied, physically attacked, socially stigmatized and discriminated against and that law enforcement officials do not always take action in cases of violence against them (art. 2 (2)).

**26. The Committee recommends that the State party take all measures necessary to ensure that discrimination based on sexual orientation or gender identity is explicitly prohibited in anti-discrimination legislation and that same-sex couples have access to advantages now reserved for married couples ; eradicate negative stereotypes about and stigmatization of lesbian, gay, bisexual, transgender and intersex persons, including by revising textbooks and conducting awareness-raising campaigns for the public, health-care providers, social workers and law enforcement and other public officials; and ensure prompt, impartial and effective investigation and prosecution of cases of violence against lesbian, gay, bisexual, transgender and intersex persons . The Committee draws the attention of the State party to its general comments N o. 20 (2009) on non-discrimination and No. 22 (2016) on sexual and reproductive health, in particular paragraph 23.**

### **Equality between men and women**

27. The Committee is concerned at the disproportionately low labour participation and employment rates among women, particularly Roma women and ethnic Albanian women, as well as at the predominance of women in unskilled/underpaid jobs and positions. It is also concerned at the absence of active employment measures targeted at women and the insufficient level of implementation of the Law on Equal Opportunities of Women and Men of 2012 and the National Strategy for Gender Equality 2013-2020. It is further concerned at the large gender pay gap in the State party (arts. 3 and 7).

**28. The Committee recommends that the State party set concrete targets and adopt a time frame for increasing women’s labour participation and employment rates and develop employment programmes targeted at women , paying special attention to ethnic minorities . It also recommends that the State party intensify its efforts to fully implement the Law on Equal Opportunities of Women and Men and the National Strategy for Gender Equality 2013-2020, including by allocating sufficient resources for its implementation. It further recommends that the State party take effective measures to narrow the gender pay gap.**

### **Unemployment**



29.The Committee is concerned that despite having decreased in recent years, unemployment remains high, particularly among youth, women, Roma and persons with disabilities, and that the majority of work opportunities are in the informal economy (art. 6).

**30. The Committee recommends that the State party intensify its efforts to upgrade the vocational skills of the workforce to meet the needs of the labour market; create decent job opportunities, including through implementation of the Active Labour Market Programmes; develop and implement special measures to promote the employment of youth, women , persons with disabilities and Roma, including through quota systems ; and provide reasonable accommodation for persons with disabilities. It also recommends that the State party ensure that workers in the informal economy are protected under labour legislation and enjoy their rights to fair and favourable conditions of work and to social security, and intensify its efforts to facilitate the transition from the informal economy to the formal economy .**

### **Minimum wages**

31.While welcoming the adoption of the Law on the Minimum Wage, the Committee is concerned that the payment of minimum wage is made conditional on compliance with the “accomplished norm” provided for in article 2 of the Law. It is further concerned that the minimum wage applied in the textile, garment and leather industries is lower than in other sectors. As women are overrepresented in these industries, this leads to indirect discrimination against women. The Committee is further concerned that the amount of the minimum wages is not sufficient to ensure a decent living for workers and their families (art. 7).

**32. The Committee recommends that the State party bring the Law on the Minimum Wage in to line with the Covenant and the Minimum Wage Fixing Convention , 1970 ( No. 131 ) of the International Labour Organization (ILO) . It also recommends that the State party immediately apply the same level of minimum wage across all sectors, including the textile, garment and leather industries . It further recommends that the State party increase the minimum wages and regularly adjust them to the cost of living so as to ensure an adequate standard of living for workers and their families. The Committee draws the attention of the State party to its general comment N o. 23 (2016) on the right to just and favourable conditions of work.**

### **Equal remuneration for work of equal value**

33.The Committee is concerned that the principle of equal remuneration for “equal work with equal responsibilities in the same job position, regardless of gender” provided for in article 108 of the Law on Labour Relations of 2005 is not fully in line with the Covenant, which requires compliance with the principle of equal remuneration for work of equal value (art. 7).

**34. The Committee recommends that the State party review article 8 of the Law on Labour Relations with a view to bringing it fully in to line with the Covenant . T he attention of the State party is again referred to general comment N o . 23 (2016) .**

### **Trade union rights**

35.The Committee is concerned at the restrictions on the right to strike in the Law on Labour Relations and other labour laws of the State party, including provisions that provide for the dismissal of a worker taking part in a strike that was already under way (art. 8).

**36. The Committee recommends that the State party amend the Law on Labour Relations and other labour laws with a view to ensuring that these laws are fully in complian ce**

**with the Covenant and relevant ILO conventions and provide for full protection of the right to strike, taking into consideration the review of national labour laws that has been carried out in cooperation with ILO .**

### **Right to social security**

37.The Committee is concerned that the social security system of the State party does not cover the most disadvantaged and marginalized individuals. It is particularly concerned at their limited access to social benefits owing to the complicated procedure and eligibility criteria and at the insufficient level of these benefits. While welcoming the fact that the 2015 amendments to the Rulebook on wire transfers of funds in the calculation of income for means-tested benefits have been rescinded, it regrets the retroactive application of the amendments, which has resulted in a large number of beneficiaries being unable to reimburse the previous benefits and, as a result, losing their entitlement to future benefits (art. 9).

**38. The Committee recommends that the State party ensure that the most disadvantaged and marginalized individuals are fully protected under its social security system . It also recommends that the State party streamline the application procedure for entitlement to social security benefits and increase the level of benefits to ensure an adequate standard of living and ensure their timely payment. It urges the State party to reverse the decision to apply retroactively the 2015 amendments to the Rulebook so as to ensure the access of all those affected to benefits.**

### **Poverty**

41.The Committee is concerned that, despite the decrease in the poverty rate in recent years, almost a quarter of the population is still living in poverty and thus denied the right to an adequate standard of living. It is also concerned that income inequality continues to grow in the State party. While welcoming the lowering of the value added tax on essential consumer items, the Committee also regrets that the State party's tax system, including the low level of the flat tax on personal and corporate income, is ineffective in reducing poverty and in ensuring appropriate redistribution of income (art. 11).

**42. The Committee recommends that the State party intensify its efforts to combat poverty, including through the comprehensive analysis of the needs of the most disadvantaged and marginalized individuals and groups and the adoption of concrete and targeted measures to address them. Such measures could include effective measures to reduce income inequality among the population, including through reforms of the tax system and the social security system . The Committee draws the State party's attention to its statement on poverty and the International Covenant on Economic, Social and Cultural Rights (E/C.12/2001/10).**

### **Access to health-care services**

47.The Committee is concerned at the insufficient funding allocated to the health sector, the shortage of qualified medical professionals and the inadequate coverage and benefits under the Health Insurance Fund, which result in limited access to health-care services, particularly for Roma and those living in rural areas. It is also concerned that some private health-service providers charge fees for services that should be provided free of charge, as stipulated by the licensing agreements under which they operate (art. 12).

**48. The Committee recommends that the State party intensify its efforts to ensure that primary health - care services are available and accessible to all regardless of geographical location, including by allocating adequate funding to the health services, securing a sufficient number of qualified medical professionals and expanding the coverage and the benefits under the Health Insurance Fund. It urges the State party to put an immediate end to the practice of illegally charging fees and to monitor the compliance of private health - service providers with the licensing agreements under which they operate.**

### **Sexual and reproductive health**

49. The Committee is concerned at the acute shortage of gynaecologists in the State party, particularly in rural areas and areas with a predominantly Roma population; at the limited access to information on sexual and reproductive health, particularly among young people, and the inadequate and outdated sex education at school; and at the limited access to modern contraception, particularly among women and girls. It is also concerned that the Law on Termination of Pregnancy of 2013 introduced severe penalties which can be imposed on medical practitioners who perform emergency abortions if it is later determined that the abortion did not comply with the conditions set forth in article 13 of the Law; this may have a chilling effect on medical practitioners and thus lead to unsafe abortions being practised in emergency situations. The Committee's view on mandatory counselling prior to abortion is that such counselling is acceptable only if it is neutral and supports the free and informed choice of the women seeking to terminate her pregnancy (art. 12).

**50. The Committee recommends that the State party take all measures necessary to increase the number of gynaecologists in the country and to ensure that all women have access to gynaecological health services within their municipality, particularly in Suto Orizari ; make information on sexual and reproductive health available to the general public; improve school education on sexual and reproductive health that is up to date, age appropriate and based on a human rights perspective ; and ensure that modern contraception methods are affordable to all , including by adding contraceptives to the list of medicines covered by the Health Insurance Fund . It also recommends that the State party review the restrictive provisions of the Law on Termination of Pregnancy . It draws the attention of the State party to its general comment No. 22 (2016) on the right to sexual and reproductive health.**

### **D. Other recommendations**

**57. The Committee recommends that the State party take steps to progressively develop and apply appropriate indicators on the implementation of economic, social and cultural rights in order to facilitate the assessment of progress achieved by the State party in complying with its obligations under the Covenant for various segments of the population. In this context, the Committee refers the State party to, inter alia, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner on Human Rights (HRI/MC/2008/3).**

**58. The Committee requests the State party to include in its next periodic report comparative annual statistics on the realization of each of the rights enshrined in the Covenant, disaggregated by age, sex, ethnic origin, urban and rural population and other relevant criteria . It also requests detailed information on the evolution of the State**

**party's revenues , disaggregated by source , and of the budgets allocated in the areas relating to the Covenant rights.**

## Convention on the Rights of the Child – Concluding observations 2010

[\*UN OHCHR website link, Treaty bodies database\*](#)

### Allocation of resources

16. In the context of civil service reform, the Committee notes the establishment of child rights commissions, adoption of action plans for children and allocation of funds for their implementation by some of the municipalities. The Committee remains, however, concerned about a mismatch between budgetary allocations and the mandates of agencies, a mismatch which especially affects the provision of services by the social work centres. The Committee is further concerned about the lack of transparency in the use of international funds for programmes in areas concerning children, the selection of NGO activities for State financial support, and that a very small proportion of these funds are allocated for activities concerning children. In addition, the Committee is concerned that no specific funds have been earmarked for the implementation of the National Action Plan on the Rights of the Child and that the funds earmarked for the implementation of the 2010 Programme for Compulsory Health Insurance for All Citizens are insufficient.

**The Committee urges the State party, taking into account the Committee's recommendations adopted following the day of general discussion in 2007 on "Resources for the Rights of the Child – Responsibility of States", to:**

- (a) Allocate or earmark funds for the implementation of the National Action Plan;**
- (b) Ensure transparency in the use of international funds for programmes in areas concerning children;**
- (c) Provide adequate resources to all municipalities in order to enable them to carry out their responsibilities in planning, budgeting and implementing local plans and services for children, in the context of decentralization;**
- (d) Ensure, as a matter of urgency, that the social work centres are provided with the human, technical and financial resources necessary for the provision of services in all areas of their mandate; and**
- (e) Allocate adequate funds for the implementation of the 2010 Programme for Compulsory Health Insurance for All Citizens in order to ensure health insurance coverage of children among the most vulnerable segments of the population.**

### Data collection

18. While noting ongoing development of a child protection data system, the Committee regrets that there is no systematic approach to data collection for monitoring the situation of children in the State party and no centralized database on children, in general, and on children in vulnerable situations, in particular.

**The Committee encourages the State party to continue and strengthen its data collection system with the support of its partners and use this data as a basis for assessing progress achieved in the realization of child rights and to help design policies to implement the Convention. Data should cover all children up to the age of 18 years and be disaggregated by sex, age, urban and rural area with specific emphasis on children in vulnerable situations, including child victims of abuse, neglect or ill-treatment, children with disabilities, refugee and asylum-seeking children, children in conflict with the law, working children, and children in street situations.**

## **5. Basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)**

### **Children with disabilities**

52. The Committee notes the efforts of the State party at developing day-care centres for children with disabilities but is concerned at the persisting inadequacy of educational, social and health services for children with disabilities and their families in their own living environment. In particular, the Committee notes that there remain many obstacles to ensuring equal access to education for children with disabilities.

**The Committee recommends that the State party, in accordance with article 23 of the Convention and taking into account its general comment No. 9 (2006) on the rights of children with disabilities (CRC/C/GC/9), continue to strengthen measures to protect and promote the rights of children with disabilities, inter alia, by:**

- (a) Developing a comprehensive policy for the protection of children with disabilities and for their equal access to social, educational and other services;**
- (b) Undertaking greater efforts to make available the necessary resources, especially at the local level, and to promote and expand community-based and family-focused programmes, including parent support groups;**
- (c) Pursuing efforts to ensure that children with disabilities, including moderate and severe developmental disabilities, are able to exercise their right to education to the maximum extent possible;**
- (d) Creating the conditions for participation of children with disabilities in the elaboration, execution and evaluation of programmes directed to them;**
- (e) Providing training for professional staff working with children with disabilities such as teachers, social and health-care workers.**

### **Health and health services**

54. While welcoming significant reductions of infant and under-5 mortality and registered infectious diseases, and the elimination of iodine-deficiency disorders in recent years, the Committee is concerned that infant mortality rates among Roma children remain higher than the national average, and that perinatal mortality is the highest in the region. The Committee is further concerned about rural-urban disparities in accessing health-care services and that refugee children and children under humanitarian protection who lack proper documentation have been refused medical treatment.

**The Committee recommends that the State party continue raising the standard of health among children, in particular by:**

- (a) Strengthening efforts to prevent and reduce infant mortality among the Roma community;**
- (b) Increasing the quality and availability of health services to eliminate urban-rural disparities;**
- (c) Ensuring the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care, in particular by extending coverage to children belonging to the most vulnerable segments of the population; and**
- (d) Raising the quality of pre-and postnatal health care for mothers with a view to preventing perinatal mortality.**

### **Breastfeeding**

56. The Committee welcomes the insertion of provisions of the International Code of Marketing of Breast-milk Substitutes in the Law on Food Safety and the Law on Consumer Protection and that paid maternity leave and breastfeeding breaks are guaranteed by law. The Committee, nevertheless, regrets that the rate of exclusive breastfeeding is declining; that the paediatric association, which controls breastfeeding guidelines, accepts sponsorship from the baby-food industry; and that baby-food products are marked “for 4 months” and are widely promoted in private maternity clinics and available in pharmacies and supermarkets.

**The Committee recommends that the State party enforce existing legislation, enhance efforts to promote exclusive breastfeeding practices and comply with the International Code of Marketing of Breast-milk Substitutes.**

### **Adolescent health**

58. The Committee notes that the safe motherhood programme prioritizes ensuring access to information and counselling on preventing adolescent pregnancies and abortion, as well as the State party's plans to introduce sex education in schools. The Committee is, nevertheless, concerned at the high rate of teenage births and abortions, particularly among girls belonging to the Roma and other minority communities, the significant drop in availability of reproductive health care for adolescent girls in rural areas, and the lack of respect for confidentiality. In addition, the Committee is concerned about the absence of prevention measures and rehabilitation services for children using drugs or alcohol.

**The Committee recommends that the State party:**

**(a) Ensure that adolescents have access to age-appropriate and confidential counselling services and life-skills training programmes in all regions and communities of the country;**

**(b) Strengthen efforts to increase information and knowledge on reproductive health and rights in order to reduce the number of teenage pregnancies, and develop adolescent-friendly programmes to assist teenage mothers and their children;**

**(c) Develop prevention measures and rehabilitation services for children abusing drugs and alcohol;**

**(d) Take further measures, including the allocation of adequate human and financial resources to support the development of culturally and adolescent-sensitive, confidential counselling, care and rehabilitation for children, taking into account the Committee's general comment No. 4 (2003) on adolescent health and development in the context of the Convention (CRC/GC/2003/4).**

### **Mental health**

The Committee takes note of the State party's concern that promotion and prevention programmes are far from meeting the needs of children and adolescents and recommends that it develop comprehensive child and adolescent mental health policy, which includes all obligatory components as recommended by the World Health Organization, inter alia, regarding mental health promotion, prevention of mental disorders in primary care and outpatient and inpatient mental health services, with a view to improving mental health and emotional well-being of children.

### **Standard of living**



63.The Committee notes that children from economically disadvantaged and socially excluded families were identified as a priority in the State party's written replies and information that a national strategy for poverty reduction and social exclusion and a national programme for development of social protection were under way. The Committee is, however, concerned that the system of child allowances is discriminatory and excludes children in vulnerable situations, as it is limited to children who attend school regularly and whose parents are either employed or are already covered under a social protection scheme.

**64.The Committee recommends that the State party prioritize the protection of an adequate standard of living for children in vulnerable situations, including in forthcoming legislation, strategies and programmes for social protection and particularly in the distribution of child allowances, and ensure that this is observed in practice by the relevant State institutions. The State party should take immediate measures to remove all forms of discrimination in the distribution of child allowances and other forms of social welfare.**

**7.Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)**

#### **Asylum-seeking and refugee children**

67.The Committee notes that the State party is taking over responsibility for the health care, social protection and housing of asylum-seekers, refugees and persons under subsidiary protection as of 1 January 2010. Notwithstanding the statement of the State party's delegation, the Committee is concerned that unaccompanied and separated children are not always appointed a guardian and are not accommodated separately from adults.

**The Committee recommends that the State party ensure that unaccompanied and separated children are appointed a guardian and are accommodated separately from adults, and that children among refugees and asylum-seekers are assured of access to education, health care, social protection and housing, taking into account the Committee's general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin (CRC/GC/2005/6).**

## Convention on the Elimination of All Forms of Discrimination against Women – Concluding observations 2013

[\*UN OHCHR website link, Treaty bodies database\*](#)

### Employment

31. While noting the subsidized employment, training and entrepreneurship programmes available to some women, the Committee is concerned by the continuing vertical and horizontal occupational segregation and the overrepresentation of women in low-paid jobs; the lack of implementation of the principle of equal pay for work of equal value and the persistent wage gap between women and men; the disproportionately high rate of women's unemployment; and the exclusion of Roma women and women with disabilities from the formal labour market. The Committee is further concerned that the lack of policies stimulating women's economic activities, childcare facilities, and changes to the Labour Law concerning parental leave forces women into part-time and low-paid work and reinforces the unequal division of family responsibilities between women and men. Furthermore, the Committee regrets the lack of information on sexual harassment in the workplace.

#### **32. The Committee recommends that the State party:**

**(a) Strengthen efforts to eliminate occupational segregation, both horizontal and vertical, and to adopt measures to implement the principle of equal pay for work of equal value and to narrow and close the wage gap between women and men by applying job evaluation schemes in the public sector connected with wage increases in sectors dominated by women;**

**(b) Increase women's, including Roma women and women belonging to other disadvantaged groups, access to formal employment and entrepreneurship and improve their possibilities to combine working life with family responsibilities; and**

**(c) Collect sex-disaggregated data on the situation of women and men in the labour market and on the number and outcome of labour inspections, court cases and administrative complaints related to sex-based labour discrimination and sexual harassment in the workplace.**

### Health

34. The Committee urges the State party to:

(a) Take all measures necessary to improve women's access to quality health care and health-related services, within the framework of the Committee's general recommendation No. 24 (1999) on women and health;CEDAW/C/MKD/CO/4-5

(b) Raise awareness, through public education campaigns, education on sexual and reproductive health in schools and enhanced counselling services, about the importance of using contraceptives for family planning and increase efforts to provide adequate family planning services and affordable contraceptives; and

(c) Integrate a gender perspective in all health interventions and policies and collect and analyse sex-disaggregated data.

#### **34. The Committee urges the State party to:**

**(a) Take all measures necessary to improve women's access to quality health care and health-related services, within the framework of the Committee's general recommendation No. 24 (1999) on women and health;**

**(b) Raise awareness, through public education campaigns, education on sexual and reproductive health in schools and enhanced counselling services, about the importance of using contraceptives for family planning and increase efforts to provide adequate family planning services and affordable contraceptives; and (c) Integrate a gender**

**perspective in all health interventions and policies and collect and analyse sex-disaggregated data.**

#### **Rural women**

35. The Committee continues to be concerned at the disadvantaged position of women in rural areas who have limited access to health and social services, participation in decision-making processes at the community level, education and the formal labour market; despite the Committee's recommendation in the previous concluding observations (CEDAW/C/MKD/CO/3, para. 28) to implement effective measures to eliminate discrimination against rural women through all available means, including temporary special measures, in accordance with article 4, paragraph 1, of the Convention, and the Committee's general recommendation No. 25 (1992). The Committee is further concerned by the low percentage of rural women who own land and have access to microcredit schemes.

#### **36. The Committee recommends the State party to:**

**(a) Take immediate steps to implement effective measures to eliminate discrimination against rural women in all areas covered by the Convention and to enhance their enjoyment of human rights through all available means, including through temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (1992);**

**(b) Intensify its efforts to enhance the economic and political empowerment of women in rural areas, including by reviewing the causes of the low percentage of women who own land and have access to credit facilities; and**

**(c) Include in its next periodic report information on rural women's access to education, social and health services, and to the formal labour market.**

#### **Disadvantaged groups of women**

37. While noting the adoption of the Decade of Roma Inclusion 2005–2015, the National Action Plan for the Promotion of the Status of Roma Women and the related strategies adopted by the State party (2008–2010, 2011–2013), the Committee is concerned about the lack of adequate financial resources allocated for the implementation and evaluation of these measures as well as the continuing marginalization of Roma women and the intersecting forms of discrimination they face, especially with regard to access to education, employment, adequate housing and health care, identity documents, protection from violence and access to justice. The Committee further notes the limited information and data available on other disadvantaged groups of women, such as Albanian women, widows, older women and women with disabilities. The Committee is concerned about the marginalization of these women and their vulnerability to intersecting forms of discrimination and is concerned about the lack of information on the use of temporary special measures to improve their situation. Furthermore, the Committee is concerned by the lack of a gender-sensitive approach in asylum and refugee procedures.

#### **38. The Committee calls upon the State party to:**

**(a) Implement and expeditiously allocate adequate financial resources to national action plans and strategies aimed at eliminating all forms of discrimination against Roma women;**

**(b) Collect and provide, in its next report, comprehensive statistical data disaggregated by sex on the situation of disadvantaged groups of women, including Roma and Albanian women, in all areas covered by the Convention, as well as information on specific programmes; (c) Take effective measures, including temporary special measures, with a view to accelerating the realization of substantive equality for such disadvantaged**

groups of women; and (d) Integrate a gender-sensitive approach in all asylum and refugee processes, including at the application stage.

## **Convention on the Right of Persons with Disabilities**

No conclusions available yet.

## 2. Council of Europe

### European Social Charter

[\*Official website of the European Social Charter, link to pending comments\*](#)

#### **Article 1 – Right to work – Conclusions 2012**

##### [Paragraph 1 - Policy of full employment](#)

##### **Employment situation**

The Committee notes that the labour market situation in "the former Yugoslav Republic of Macedonia" improved during the reference period. Nevertheless, despite such improvements, the overall situation was not positive: an alarmingly low employment rate, and very high youth and long-term unemployment rates.

##### **Employment policy**

As regards expenditure on active labour market policies, the report indicates that it increased from 0.07% of GDP in 2007 to 0.12% in 2010. The Committee notes that this is still a low level in terms of comparison with other States Party.

##### **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is not in conformity with Article 1§1 of the 1961 Charter on the ground that it has not been established that employment policy efforts have been adequate in combatting unemployment and promoting job creation.

##### [Paragraph 3 - Free placement services](#)

In its previous conclusion the Committee noted the main responsibilities of the Employment Service Agency (ESA) and also that services were provided to users free of charge (Conclusions XIX-1). The current report states that some amendments were made to the legislation regulating the ESA during the reference period, with the aim, inter alia, of defining more secure funding for its implementation of active employment measures. More generally, activities to strengthen the capacity and promote the work of ESA, as well as to improve its services, were undertaken during this period.

##### **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is in conformity with Article 1§3 of the 1961 Charter.

#### **Article 3 - Right to safe and healthy working conditions – Conclusions 2013**

No conclusions available.

#### **Article 8 - Right of employed women to protection of maternity – Conclusions 2015**

##### [Paragraph 1 - Maternity leave](#)

##### **Right to maternity leave**

According to Sections 165 and 166 of the Labour Relations Act, as amended in 2012, women are entitled to nine months paid maternity leave (one year in case of multiple births), including a compulsory leave of 28 days before and 45 days after the birth. The Committee takes note of the

information provided in the report concerning the sanctions applicable to employers in relation to pregnancy, maternity and parental leave.

The Committee recalls that Article 8, paragraph 1 of the Charter requires national laws to guarantee all categories of employed women a right to maternity leave of at least 14 weeks, including a compulsory period of leave of no less than six weeks which may not be waived by the woman concerned. In the light of the information above, the Committee holds that the situation is in conformity with Article 8, paragraph 1 of the Charter as regards the length of the leave and of the compulsory maternity leave.

The report fails however to clarify, in response to the Committee's question, whether the same regime applies to all women employed in the public as in the private sector. It accordingly reiterates this question; should the next report not provide the information requested, there will be nothing to establish that the situation is in conformity with Article 8§1 on this aspect.

### **Right to maternity benefits**

The Committee recalls that, under Article 8§1 of the Charter, maternity benefits must be at least equal to 70% of the previous wage. The right to compensation may be subject to conditions such as a minimum period of contribution or employment. However, such conditions shall not be excessive; in particular, if qualifying periods are required, they should allow for some interruptions in the employment record (Statement of Interpretation on Article 8§1, Conclusions 2015).

The Committee previously noted that, pursuant to Section 14 of the Health Insurance Act, women on maternity leave are entitled to salary compensation. The basis for the calculation of this compensation is the average monthly salary over the last 12 months during which compulsory health insurance contributions were paid. Women on maternity leave are entitled to 100% of the compensation basis.

As the report does not clarify, as previously requested by the Committee, whether the same regime applies to women employed in the public sector, the Committee reiterates the question. It furthermore wishes the next report to clarify what are the criteria for entitlement to maternity benefits, whether interruptions in the employment record are taken into account in the calculation of the qualifying period and whether benefits corresponding to 100% of the wage are paid all through the maternity leave (that is, up to nine months or one year) or for a more limited period. Furthermore, with reference to its abovementioned Statement of Interpretation, the Committee asks whether the minimum rate of maternity benefits corresponds at least to the poverty threshold, defined as 50% of the median equivalised income, calculated on the basis of the Eurostat at-risk-of-poverty threshold value.

It reserves in the meantime its position on this issue.

### **Conclusion**

Pending receipt of the information requested, the Committee defers its conclusion.

## **Article 11 Right to protection of health – Conclusions 2013**

### **Paragraph 1 - Removal of the causes of ill-health**

#### **Right of access to health care**

In its previous conclusion (Conclusions 2009) the Committee took note of the healthcare system. It refers to its conclusion under Article 12§1 and notes that in accordance with the Law on Health Insurance (Official Gazette No. 67/09) all citizens are covered by healthcare.

In its last examination of this provision, the Committee adopted a general question addressed to all States on the availability of rehabilitation facilities for drug addicts, and the range of facilities

and treatments. The Committee requests that information be included on this issue in the next report.

### **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is in conformity with Article 11§1 of the 1961 Charter.

### **Paragraph 2 - Advisory and educational facilities**

The document 'the Health Protection of the Population in 2011' identifies high blood pressure, tobacco, alcohol and high blood cholesterol as the most common risk factors for the occurrence of cardiovascular diseases, which are, in turn, the most common causes of death. In this context, the Committee takes note of the preventive measures introduced with a view to detecting cardiovascular diseases as well as prostate and breast cancers.

### **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is in conformity with Article 11§2 of the 1961 Charter.

### **Paragraph 3 - Prevention of diseases and accidents**

The Practical guide was developed on the best practice to prevent or minimise the risk when working with the materials that contain asbestos for employers, workers and labour inspectors.

### **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is in conformity with Article 11§3 of the 1961 Charter.

## **Article 12 Right to social security – Conclusions 2013**

### **Paragraph 1 - Existence of a social security system**

#### **Risks covered, financing of benefits and personal coverage**

The Committee notes that no information is provided regarding the personal coverage of sickness and maternity branches.

#### **Adequacy of benefits**

The Committee holds that the situation which it has previously found not to be in conformity with the Charter has not changed. Persons who have been in uninterrupted working relation of 9 months receive unemployment benefit for one month. Therefore, the Committee reiterates its previous finding of non-conformity on the ground that the minimum duration of unemployment benefit of one month is too short.

The Committee notes from another source that at-risk-of-poverty rate in 2010 stood at 60 885 denars annually or 5 073 per month (€83).

As regards the minimum level of unemployment benefit, the Committee estimates that in 2011 the minimum wage earner would get 50% of 8 050 denars in unemployment benefit (€66) and 70% of 8 050(€ 92) in sickness benefit. As regards the minimum pension, full pension stood at €111. In 2010 the full pension, as 41% of the average salary amounted to 121€.

The Committee notes that all figures are above the at-risk-of-poverty threshold. However, since the information at the Committee's disposal comes from different sources and may, therefore,

not be comparable, the Committee requests that the next report provide the following information for the reference period:

- the at-risk-of-poverty threshold
- the statutory minimum wage
- the national average wage.

The Committee holds that if this information is not provided, there will be nothing to establish that the situation is in conformity.

### **Conclusion**

The Committee concludes that the situation in “the former Yugoslav Republic of Macedonia” is not in conformity with Article 12§1 of the Charter on the ground that the minimum duration of unemployment benefit is too short.

### **Paragraph 2 - Maintenance of a social security system at a satisfactory level at least equal to that necessary for the ratification of the European Code of Social Security**

The Committee notes that the ILO Committee of experts on the application of conventions and recommendations (CEACR) raised several direct requests (at the 101st ILC session in 2012) concerning unemployment, old age and maternity branches. It wishes to be informed of the answers to these requests. The Committee recalls that in order to assess whether the social security system stands at a level at least equal to that necessary for the ratification of the ILO Convention No 102, it has to be provided with thorough information regarding the branches covered, the personal scope and the level of benefits offered. The Committee refers to its conclusion under Article 12§1 where it reserves its position as regards the situation in relation to the personal coverage and the minimum levels of income-replacement benefits (sickness, old-age and unemployment, maternity).

### **Conclusion**

Pending receipt of the information requested, the Committee concludes that the situation in “the former Yugoslav Republic of Macedonia” is in conformity with Article 12§2 of the 1961 Charter.

### **Paragraph 3 - Development of the social security system**

The Committee notes that with these amendments the health and old age branches of social security were raised to a higher level. The Committee wishes to be informed about the amendments to other branches and their impact on personal coverage and minimum levels of benefits.

### **Conclusion**

Pending receipt of the information requested, the Committee concludes that the situation in “the former Yugoslav Republic of Macedonia” is in conformity with Article 12§3 of the 1961 Charter.

## **Article 13 - Right to social and medical assistance – Conclusions 2013**

### **Paragraph 1 - Adequate assistance for every person in need**

#### **Level of benefits**

To assess the situation during the reference period, the Committee takes account of the following information:

- Basic benefit: according to the report (and MISSCEO) the social financial assistance for persons capable of work and without means of subsistence in 2010 amounted to MKD 2 140 (€ 34.8) per month for a single person household and in 2011 to MKD 2,174 (35.3 €). The



amount corresponds to 13.5% of the average net monthly salary of an employee. The full amount is paid during the first two years of receipt, but is reduced to 70% in the following three years and to 50% after that. Persons who are incapable of work and without means of subsistence are entitled to permanent financial assistance which for a single person household amounted to MKD 3 210 (52.2 €) per month in 2010 and to MKD 3,261 in 2011 (53.1 €).

- Additional benefits – while noting the existence of various other benefits such as financial assistance for social housing, one-off assistance or benefits in kind, it does not appear that these are paid to all recipients of basic benefits. However, the Committee notes the possibility of granting subsidies for electricity expenses and other public utilities and ask that the next report provide estimates of total benefits, basic and supplementary, paid to a typical single person household.

- Poverty threshold: the report does not contain information on poverty threshold values, but the Committee notes that the State Statistical Office has published information on the at-risk-of-poverty threshold calculated according to the Eurostat methodology. The threshold published for 2010 and re-calculated by the Committee at 50% of median equivalised income correspond to MKD 4,228 (68.8 €) per month. The Committee recalls that in the meaning of Article 13§1 of the Charter the assistance is appropriate where the monthly amount of assistance benefits – basic and supplementary – paid to a person living alone is not manifestly below the poverty threshold.

While noting that the amounts of social assistance benefits have increased steadily (in particular because they are adjusted annually for inflation) during the reference period, the Committee holds that social financial assistance for a single person household are not adequate as they fall manifestly below the poverty threshold. This also applies to permanent financial assistance paid to the elderly without resources.

### **Personal scope**

The report explains that permanent residence permits are awarded to persons with a minimum of five years of continuous residence in the territory on the basis of a temporary residence permit. The Committee holds that this amounts to an excessive length of residence requirement which is not in conformity with the Charter.

### **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is not in conformity with Article 13§1 of the Charter on the grounds that

- social assistance benefits are not adequate as they fall manifestly below the poverty threshold;
- certain benefits such as social financial assistance and permanent financial assistance are granted to nationals of other States Parties only subject to an excessive length of residence requirement.

### **Paragraph 2 - Non-discrimination in the exercise of social and political rights**

The Committee asks that the next report contain up-dated information on whether being in receipt of social assistance may lead to a diminution of political or (other) social rights. Political rights include for example access to posts in the civil service and the right to vote and as far as social rights are concerned it is recalled, for example, that confining eligibility for social services to holders of identity documents or certificates of residence in a particular location may give rise to a violation of this provision of the Charter.

## **Conclusion**

Pending receipt of the requested information, the Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is in conformity with Article 13§2 of the 1961 Charter.

### **Paragraph 3 - Prevention, abolition or alleviation of need**

The Committee asks that the next report contain up-dated information on the resources allocated to counselling and advisory services in the meaning of Article 13§3, including public expenditure, number of staff and number of beneficiaries, as well as on geographical coverage of services.

## **Conclusion**

Pending receipt of the information requested, the Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is in conformity with Article 13§3 of the 1961 Charter.

## **Article 15 - Right of persons with disabilities to independence, social integration and participation in the life of the community – Conclusions 2012**

### **Paragraph 1 - Vocational training for persons with disabilities**

#### **Anti-discrimination legislation**

While the new Antidiscrimination Law meets the requirements of Article 15§1 of the Charter, it falls outside the reference period. The Committee will refer to it in the next conclusion and it asks the Government to provide information about the implementation of this Law in the next report. Since the legal framework in the relevant field has not changed during the reference period, the Committee maintains its previous conclusion of non-conformity on this ground.

#### **Vocational training**

The Committee again observes that the report does not provide information on most of the questions and issues concerning vocational education of person with disabilities raise in the previous conclusion. It reiterates these questions and recalls that Article 15§1 of the Charter requires persons with disabilities to be integrated into mainstream facilities to the maximum extent possible – special facilities should be the exception – and it requires states to provide evidence that this is the case or at least that substantial efforts are being made to achieve this.

## **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is not in conformity with Article 15§1 of the 1961 Charter on the grounds that

- the anti-discrimination legislation covering education for persons with disabilities is inadequate;
- it has not been established that the right of persons with disabilities to mainstream education and training is effectively guaranteed.

### **Paragraph 2 - Employment of persons with disabilities**

The Committee observes that the report does not address its questions on sheltered employment and the measures introduced to enable the integration of persons with disabilities into the ordinary labour market; it therefore reiterates the questions put forward in the previous conclusion and points out that should this information not be provided in the next report, there will be nothing to establish that the situation is in conformity in this respect.

## **Conclusion**

The Committee concludes that the situation in "the former Yugoslav Republic of Macedonia" is not in conformity with Article 15§2 of the 1961 Charter on the ground that it has not been established that persons with disability are guaranteed an effective equal access to employment.

## **Article 16 - Right of the family to social, legal and economic protection – Conclusions 2015**

### **Economic protection of families**

#### **Family benefits**

The Committee notes from MISSCEO that child benefit is only paid to families with low incomes. To receive child benefit the total monthly income per family member (for the entire household, including the children) must be lower than €42, which represents 32% of the minimum wage. For single parents this income threshold is €84, which represents 64% of the minimum wage. The monthly amount of child benefit is €12 for children up to 15 years of age or as long as they are full-time primary school pupils and €19 for children between 15 and 18 years of age or as long as they are full time secondary school students. Regardless of the number of children in the family and of their age the total monthly amount of child benefit which can be claimed by one parent may not exceed the maximum of €30.

The Committee recalls that child benefit must constitute an adequate income supplement, which is the case when it represents a significant percentage of median equivalised income, for a significant number of families (Conclusions 2006, Statement of Interpretation on Article 16).

The Committee understands the minimum wage to be very low, however, in the absence of the median equivalised income it is unable to assess whether the child benefit constitutes an adequate income supplement. It therefore asks the next report to indicate the monthly median equivalised income or similar indicators, such as the national subsistence level, average income or the national poverty threshold, etc. In any case, the Committee considers that the situation is not in conformity with the Charter on the ground that family benefits do not cover a significant number of families.

#### **Vulnerable families**

States' positive obligations under Article 16 include implementing means to ensure the economic protection of various categories of vulnerable families, such as Roma families. The Committee consequently asks what measures are taken to ensure the economic protection of vulnerable families, such as Roma families.

#### **Equal treatment of foreign nationals and stateless persons with regard to family benefits**

The Committee notes from MISSCEO that only Macedonian citizens permanently staying in the "former Yugoslav Republic of Macedonia" for the last three years can be granted child benefit. The Committee recalls that the period of 1 year before benefiting from family benefits is manifestly excessive (Conclusions XVIII-1 (2006), Denmark). The Committee therefore concludes that there is no equal treatment of foreign nationals with regard to child benefit.

The Committee asks the next report to indicate whether stateless persons and refugees are treated equally with regard to family benefits.

## **Conclusion**

The Committee concludes that the situation in the "former Yugoslav Republic of Macedonia" is not in conformity with Article 16 of the Charter on the grounds that:

- family benefits do not cover a significant number of families;
- equal treatment of nationals of other States Parties regarding the payment of family benefits is not ensured because the length of residence requirement is excessive.

### 3. ILO Conventions

#### **Social Security (Minimum Standards) Convention, 1952 (No. 102) The former Yugoslav Republic of Macedonia (Ratification: 1991) – due in 2016**

**Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)**

[Link to pending comments by the ILO supervisory bodies, NORMLEX](#)

**Part IV (Unemployment benefit). Article 20. Suitable employment.** Please indicate whether the employment offered to jobseekers should be suitable and what criteria are used to determine its suitability taking into that Article 20 of the Convention refers to such criteria as the age of unemployed persons, their length of service in their former occupation, their acquired experience, the length of their period of unemployment, the labour market situation and the impact of the employment in question on their personal and family situation. Please supply copies of the Law on Employment and Unemployment insurance referred to in the report.

**Part V (Old-age benefit).** Based on the questions contained in the report form under this Part of the Convention, please indicate the legal provisions giving effect to the relevant provisions of the Convention and supply the required statistical information.

**Part VIII (Maternity benefit). Article 49. Medical care.** Please indicate the legal provisions guaranteeing that the types of medical care listed by Article 49 are provided free of charge to women fulfilling the entitlement conditions for maternity benefits.

**Part XIII (Common provisions). Article 69. Suspension of benefits.** The Committee notes that in accordance with section 15 of the Health insurance Act, 2000, beneficiaries are entitled to salary remuneration provided that health insurance contributions have regularly been paid or with a delay of 60 days at most. ***Please explain the manner in which the payment of contributions is regulated by national law and supply copies of relevant laws or regulations.***

Please supply detailed information on the manner in which national law and practice give effect to this Part of the Convention, in particular to Article 70 (right of appeal); Article 71 (financing of benefits); Article 72 (administration of social security systems).

#### **Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121) - The former Yugoslav Republic of Macedonia (Ratification: 1991) – due in 2016**

**Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)**

[Link to pending comments by the ILO supervisory bodies, NORMLEX](#)

**Article 4 of the Convention (in conjunction with Article 9). Personal coverage.** The Committee notes the Government's very brief report, received in September 2011. The Committee notes that section 5 of the Health Insurance Act does not provide for compulsory coverage of apprentices. ***The Government is requested to indicate the legal provisions ensuring that, in case of employment injury or occupational disease, apprentices are entitled to the types of medical care and periodical payments as provided by Article 9 of the Convention.***

**Article 8. List of occupational diseases.** ***Please provide the table establishing the list of recognized occupational diseases as well as a copy of the relevant laws and regulations.***

**Article 10. Medical care in case of employment injury.** The Committee notes that the content of the right to primary health care in case of occupational accidents and diseases is established by section 11 of the Health Care Act of 1997 (as amended). *The Government is invited to indicate the legal provision guaranteeing that the beneficiaries may not be required to share the cost of medical care and supplies provided following an occupation injury or disease, and to indicate the relevant legal provisions in this respect. Also, noting that the provision of dental supplies forms part of the basic healthcare services, the Committee invites the Government to clarify whether the provision of dental care and eyeglasses is also guaranteed in case of occupational injury or disease. Please indicate the relevant legal provisions in this respect.*

**Article 14. Permanent partial loss of earning capacity.** *Please clarify the legal framework applying to cases of substantial partial loss of earning capacity and cases of non-substantial partial loss of earning capacity.*

## **Maternity Protection Convention, 2000 (No. 183) - The former Yugoslav Republic of Macedonia (Ratification: 2012) - due in 2018**

**Direct Request (CEACR) - adopted 2014, published 104th ILC session (2015)**

[Link to the pending comments by the ILO supervisory bodies, NORMLEX](#)

The Committee notes the Government's first report which refers to the most up-to-date pieces of legislation which are not yet available to the Office. The Committee notes also that the report does not indicate the specific provisions of the legislation giving effect to the requirements of each of the articles of the Convention as requested in the report form.

*The Committee would be grateful if the Government could provide consolidated pieces of legislation, translated if possible into one of the working languages of the Organization, and in particular:*

- the Labour Relations Law as of 2013;*
- the Law on Health Insurance as of 2014;*
- the Law on Occupational Safety and Health as of 2013; and*
- the last version of the General collective agreement mentioned in the Labour Relations Law (section 27).*

*Should these laws be amended before the next reporting cycle, the Committee asks that the Government also provide a copy of these amendments.*

## **Maternity Protection Convention, 1919 (No. 3) - The former Yugoslav Republic of Macedonia (Ratification: 1991) - due in 2018**

**Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)**

[Link to the pending comments by the ILO supervisory bodies, NORMLEX](#)

The Committee notes the report provided by the Government on the application of Convention No. 3, the first report provided since its ratification in 1991. The Committee recalls that in 2012 the country ratified the Maternity Protection Convention, 2000 (No. 183), which is the most up-to-date ILO standard on maternity protection. As the first detailed report on the application of Convention No. 183 is due in 2014, the Committee has decided to examine the information provided by the Government on the application of Convention No. 3 together with the information to be provided in 2014. In this respect, the Committee invites the Government, when drawing up the requested report, to follow the indications in the report form adopted by the Governing Body.

## **Sickness Insurance (Industry) Convention, 1927 (No. 24) - The former Yugoslav Republic of Macedonia (Ratification: 1991) - due in 2016**

**Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)**

[Link to the pending comments by the ILO supervisory bodies, NORMLEX](#)

**Article 2(1) of the Convention (in conjunction with Article 3).** Right of apprentices to cash sickness benefits. Section 13 of the Law on Health Insurance does not expressly recognize the right to apprentices to a cash benefit for at least the first 26 weeks of incapacity due to sickness. ***The Committee requests the Government to indicate how the national legislation ensures that apprentices benefit from compulsory sickness insurance in accordance with the relevant provisions mentioned above and to provide the relevant normative texts in this respect.*** The Committee draws the Government's attention to the questions it raises under the Social Security (Minimum Standards) Convention, 1952 (No. 102).

## **Sickness Insurance (Agriculture) Convention, 1927 (No. 25) - The former Yugoslav Republic of Macedonia (Ratification: 1991) - due in 2016**

**Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012)**

[Link to the pending comments by the ILO supervisory bodies, NORMLEX](#)

Please refer to comments made under Convention No. 24.