

# News & Media

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN  
DISCUSSES REPORT OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA  
21 February 2013

The Committee on the Elimination of Discrimination against Women today considered the combined fourth and fifth periodic report of the former Yugoslav Republic of Macedonia on how that country is implementing the provisions of the Convention on the Elimination of All Forms of Discrimination against Women.

Introducing the report, Ibrahim Ibrahimi, Deputy Minister of Labour and Social Policy of the former Yugoslav Republic of Macedonia, said that several new laws comprehensively addressed gender equality and prevention and protection from gender-based discrimination, while policies and programmes for the promotion of gender equality were based on the National Plan for Gender Equality 2007-2012. There was still work to be done to ensure the equal participation of women in the decision-making processes in public and political life, regardless of the increase in the number of women parliamentarians which had reached 30 per cent in 2006. Progress had been made in introducing gender perspective in the labour market policies and strategies and in legally defining prohibition from discrimination on the grounds of gender in employment and in the workplace.

Committee Experts welcomed the adoption of the National Strategy for Gender Equality two days ago and asked about its priority areas and resources allocated to its implementation; about coordination between the various anti-discrimination bodies and mechanisms and about intentions to unify all grounds for discrimination in one system, including protection from discrimination on the basis of sexual orientation. There was a serious concern about the situation of minorities and the Committee wished to hear about concrete plans to address grave discrimination against Roma and other minorities. Experts were also concerned about the existence, persistence and strengthening of stereotypes in the country, violence against women and domestic violence, access to justice for women and the situation of rural women characterized by high unemployment, lack of education and access to health services.

In concluding remarks, Mr. Ibrahimi said that the former Yugoslav Republic of Macedonia was trying to achieve results in gender equality in accordance with the Convention. The country had also applied the European directives in their bid for the membership of the European Union.

Also in concluding remarks, Nicole Ameline, Committee Chairperson encouraged the former Yugoslav Republic of Macedonia to continue in its efforts, particularly in light of the economic crisis, and to pay attention to the situation of minorities, violence against women and human trafficking.

The delegation of the former Yugoslav Republic of Macedonia consisted of representatives of the Ministry of Labour and Social Policy, Ministry of Interior Affairs, Ministry of Health, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Education and Science, and the

Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations Office at Geneva.

The next public meeting of the Committee will be on Friday, 1 March 2013 at 3 p.m. when it will adopt its concluding observations and recommendations on the reports of Angola, Austria, Cyprus, former Yugoslav Republic of Macedonia, Greece, Hungary and Pakistan and the report on its fifty-third session before closing the session.

### **Report**

The combined fourth and fifth periodic report of the former Yugoslav Republic of Macedonia can be read here: ([CEDAW/C/MKD/4-5](#)).

### **Presentation of the Report**

IBRAHIM IBRAHIMI, Deputy Minister of Labour and Social Policy of the former Yugoslav Republic of Macedonia, said that the new Law on Equal Opportunities for Men and Women adopted in January 2012 had comprehensively addressed gender equality and protection from discrimination on grounds of gender. The 2010 Law on Prevention and Protection against Discrimination represented a complete legal framework for protection against discrimination on various grounds and provided measures for the prevention of discrimination. This Law was a significant instrument in dealing with double and multiple discriminations which women faced as a result of the intersection of gender with other categories of identity. With regard to the institutional framework for gender equality, a National Mechanism for Equal Opportunities for Women and Men at central and local levels had been established, while the Ministry of Labour and Social Policy was the competent ministry at the national level. All ministries had appointed civil servants as Coordinators and Deputy Coordinators for Equal Opportunities for Women and Men who were responsible for the introduction of a gender perspective in their respective ministries. The National Plan for Gender Equality 2007-2012 was the key document on which policies and programmes for the promotion of gender equality had been based. The National Assembly had adopted the National Strategy on Gender Equality 2013-2020, while a giant step in the process of incorporating the gender perspective was the adoption of the Strategy for Gender Responsive Budgeting 2012-2015, according to which state bodies were obliged to incorporate the principle of equal opportunities for women and men within their respective strategic plans and budgets.

There was still work to be done to ensure the equal participation of women in the decision-making processes in public and political life, regardless of the increase in the number of women parliamentarians which had reached 30 per cent in 2006. The percentage of women represented in local councils was 27, while the executive authority had three women out of 23 members in total, specifically one woman Vice-President of the Government and two women ministers. Greater attention had been paid to women's health in recent years, but further action was needed, especially for vulnerable groups. The 2009 Law on Social Protection had been adopted to provide more efficient social protection for marginalized groups and had redefined the social protection rights, system and organization, as well as the financing of the system and procedures for the realization of social protection. Considerable disparity existed between men and women

in the access to social financial benefits and the Institute for Social Affairs had started to implement activities in 2009 towards strengthening the capacities of the expert workers at Centres for Social Work and the professional institutions for gender equality and social work to conduct gender analysis. Important investment had been made in the field of education, which had seen an increase in resources from 3.6 to 5 per cent of the gross domestic product and meant greater opportunities and better access to education for girls. Economic empowerment was one of the most important factors in achieving gender equality and progress had been made in introducing gender perspective in the labour market policies and strategies and in legally defining prohibition from discrimination on the grounds of gender in employment and in the workplace.

### **Questions by Experts**

A Committee Expert said that the grounds for the protection from discrimination varied depending on individual laws and asked whether there was an intention to unify all grounds for discrimination in one system, including protection from discrimination on the basis of sexual orientation. The Expert asked the delegation to describe the resources available to the institution of Ombudsmen, the mandate and how the population could access this mechanism. There was a serious concern about minorities and the Expert asked about very concrete plans to address the grave discrimination against Roma and other minorities.

Another Expert wondered about the involvement of Parliament in the reporting process and about training that the judiciary received on the provisions of the Convention. What was the content of the Annual Operation Plan for the implementation of the National Strategy for Gender Equality 2013-2020 and what resources were allocated to this end?

What resources were allocated to the gender machinery in the country and what was being done to adequately fund the National Action Plan on Gender and the National Strategy?

### **Response by Delegation**

The Ombudsmen had ten deputies, six of whom were women and had several units in the office; it had 79 employees in the Office trained in the field of human rights and the fight against discrimination against women. The Office also received complaints on domestic violence and most of the complaints had been processed in courts. Even though protection from discrimination on the grounds of sexual orientation was not specifically introduced in the law, the laws effectively protected individuals from this form of discrimination.

Women parliamentarians participated in the creation of policies for equal opportunities by organizing sessions of the Committee for Equal Opportunities and broadcasting the sessions on public television. Training of judges and judicial professionals on the provisions of the Convention and its Optional Protocol happened on a regular basis. The National Strategy for Gender Equality had been adopted for the first time two days ago by the National Assembly. The budget for its implementation was constantly changing and all ministries involved in the implementation of the Annual Operation Plan provided the necessary resources in their respective budgets.

The Government had adopted two documents for Roma women, a Strategy and an Action Plan, and had allocated resources for their implementation annually. In addition, the Government had actions for the benefit of Roma women in areas of education, health and employment. The Roma Information Centres existed in the country which aimed to inform Roma about new laws and policies. Last year training had been organized for Roma women to increase their access to institutions and increase fulfilment of their rights.

### **Follow-up Questions and Responses**

The delegation said that the National Strategy for Gender Equality had been adopted two days ago and Experts asked about main priority areas it contained and whether it would be possible to incorporate the Committee's concluding observations in the Annual Operation Plan for the Implementation of the Strategy. Could the delegation provide information about concrete cases in which the Convention had been invoked and how women victims of discrimination decided which body or mechanism to address and how all those anti-discrimination bodies cooperated and worked together? How was access to justice extended to women, particularly poor women, and how could they access free legal aid? What measures were in place to address multiple discriminations? Was it possible for Roma to become full Macedonian citizens and live in the country without discrimination?

The delegation said that the former Yugoslav Republic of Macedonia was one of the few countries in the region which had a Strategy for Gender Budgeting which had been adopted last year and would be introduced to the public on 8 March, marking International Women's Day.

Concerning access to justice, particularly for the poor and for women victims of violence, there was legal aid available through regional offices and special groups of licensed lawyers registered for the provision of legal aid. In addition, there was a Department in the Ministry of Justice which worked on processing the requests for free legal aid. The free legal aid was paid for by the Government budget.

The Law on Equal Opportunities for Women and Men was a new law which included explicit provisions regarding special measures for achieving gender equality. Citizens could lodge complaints for discrimination not only through a legal representative, but also through the Office of the Ombudsmen, the Commission against Discrimination or competent courts; all those bodies cooperated and worked together.

According to the Constitution, Roma were recognized as any other persons living in the country. Roma had equal rights and equal obligations and there were no differences made between Roma, other national minorities or the citizens. There were some Roma communities which had lived in the former Yugoslav Republic of Macedonia for decades, and there were still some who lacked identity cards. The Government was taking measures to ensure that all Roma were registered and had identification documents. The main partner of the Government in the preparation and implementation of the Decade of Roma Inclusion and the Strategy for Roma were Roma non-governmental organizations, and Roma participated in all phases of those initiatives.

The membership in the European Union was an absolute priority for the Government which made sure that its legislation confirmed to the European one. The only obstacle for the membership was problems with the neighbours.

### **Questions by Experts**

Committee Experts expressed concern about temporary special measures and said that the use of different terminology used in the two new laws, on general anti-discrimination and on the principle of equality, might be confusing. Had any temporary special measures been introduced to increase the participation of women in public life, in the labour market, measures to improve the status of disadvantaged women, and others?

Another Expert took up the National Strategy for Protection from Family Violence and asked about the definitions of family violence, including domestic violence and the scope of the law. Could women living in free unions seek protection from domestic and family violence? What social and psychological assistance was provided to victims of violence who did not conform to the 19 official definitions of violence?

Stereotypes were social and cultural root causes of violence against women and there was information about the existence, persistence and strengthening of stereotypes in the country. Mass media treatment of such stereotypes was an important issue. What was the efficiency and effectiveness of measures undertaken in this regard? The increased emphasis on more children without an adequate increase in affordable and adequate child care provisions would inevitably result in the strengthening of the traditional roles of women; what was being done to address this, how big were child allowances paid to families and how this was compatible with the equal status of women in the society?

Concerning the prevention of trafficking in women and assistance to victims, the National Commission for the Fight against Human Trafficking and Illegal Migration was in place and the strategy and national plan to fight human trafficking had been adopted in 2006. Could the delegation provide more information about trafficking of women, particularly Roma, and especially for sexual exploitation?

### **Response by Delegation**

The delegation said that as a candidate for the European Union, the former Yugoslav Republic of Macedonia needed to take into account definitions used by Europe and definitions used by the Convention on the Elimination of Discrimination against Women. A number of temporary special measures had been implemented, particularly in the area of participation of women in public and political life.

Domestic violence was clearly defined in the Law on Family, which also defined victims of domestic violence who had access to social, psychological and other support services. The police developed cooperation with other institutions dealing with domestic violence, starting from reporting the domestic violence, sheltering and protection of the victim, identifying

perpetrators and initiating court proceedings against them. There were 11 temporary protection measures for domestic violence, including restraining orders, expulsion from home, prohibition of owning a firearm, and others. With the new legislation in 2010, a victim of domestic violence was provided with a direct access to courts to seek protection from violence without the mandatory involvement of centres for social work.

The former Yugoslav Republic of Macedonia had signed the Istanbul Convention on preventing and combating violence against women and domestic violence in 2011 and had made a comprehensive analysis of compatibility of its legislation with the provisions of this Convention of the Council of Europe. The upcoming harmonization of the laws would strengthen the action taken against violence against women and the delegation hoped that the ratification would take place in mid-2014.

Concerning the role of the Broadcasting Council in the elimination and prevention of stereotypes, the delegation said that the media outlets were expected to eliminate those stereotypes from their programmes. Detailed analysis of programming had been made which found that stereotypes were still present in the media.

A lot had been made to prevent and fight human trafficking. The institutions that had been created coordinated between them and with the institutions at the local and ministerial levels. The Centre for Victims of Human Trafficking provided shelter and since 2006, it had accommodated a total of 109 victims, 107 of which were women. Measures were being taken to prevent the trafficking of Roma women and girls, including through support to school attendance and education scholarships.

### **Follow-up Questions and Responses**

In further follow-up questions, Committee Experts sought clarifications on legal definitions of domestic violence and whether they included free union partners, incentives provided to families and couples to bear more children, evaluation of family policies that were being promoted, the number and availability of shelters for victims of violence, and domestic violence. Why was data on violence not available, even though the State Party was in the process of accumulating that information?

The delegation pointed out that there were four shelter centres in the country that covered the whole territory. If centres were not used by victims of domestic violence, they would be moved to other areas with greater needs. In addition, there were a number of non-governmental organizations offering support to women victims of violence.

The Committee for Equal Opportunities for Women and Men at the National Assembly had devoted a special session to the degradation of women in the mass media and the need to stop the promotion of stereotypes.

The former Yugoslav Republic of Macedonia was experiencing the problem of population aging and a drastic reduction in birth rates. Temporary measures undertaken by the Government to address the issue included support for third or fourth children and giving an opportunity for

mothers of multiple children to take early pension.

### **Questions by Experts and Responses**

Presently, 30 per cent of the Members of the Parliament were women, which might be due to the requirement that all electoral lists contained at least 30 per cent of women candidates; what were the consequences for political parties not complying with this requirement? There was an obvious need to empower women first through addressing stereotypes related to their political participation; what was being done to this end and to enable women to become pro-active political actors? What was being done to ensure the participation of Roma in public life and to increase the participation of women in civil service, including in the police force and in private companies?

Responding, the delegation said that the former Yugoslav Republic of Macedonia was working hard to increase the participation of women in the Foreign Service: 12 out of 19 representatives in the Council of Europe were women, three out of 47 women were ambassadors, six out of 12 superior ranks in the Ministry of Foreign Affairs were women who represented 43 per cent of the staff employed by the Ministry.

Roma political parties did not have women representatives; only two members of the Parliament were Roma.

The failure of political parties to comply with the requirement of 30 per cent female representation on electoral lists was punishable by the law.

The Ministry of Labour and Social Policy, together with partnering non-governmental organizations, organized regular training for Roma women to encourage them to engage in greater participation in political parties and in decision-making bodies.

In 2011, a total of 732 victims of domestic violence had been registered by centres for social work, for which 183 temporary measures of protection had been issued by courts. In 2012, 854 victims had been reported, and the court had imposed 223 measures of protection. The National Strategy for Protection from Violence, including domestic violence, had been recently adopted and had been prepared with wide consensus of all concerned ministries and the non-governmental sector had been consulted and participated in the development of the policy. Last week the Government had adopted a decision to form a national coordination mechanism for the implementation of this strategy, composed of representatives of a wide range of stakeholders, including organizations working on women issues and women parliamentarians.

### **Questions by Experts**

A Committee Expert noted with satisfaction the passage of compulsory secondary education and expressed concern about the education situation of women and girls from minority communities, particularly Roma, and the number of them continuing secondary education. What were the enrolment, attendance and drop out rates of Roma girls on different levels of education, compared to other girls on those same levels? What about integration of gender perspective in

school curriculum and textbooks?

Another Expert expressed support for active employment policies for the labour market and noted that the principle of equal pay for equal work was an issue in the country which represented a real danger for the full enjoyment of human rights for women. What strategy did the Government intend to put forward on this issue in the new national programme on gender equality 2013-2020? Traditional attitudes about the roles in the family had an impact on the working life of women; what measures were being taken to encourage the participation of women, particularly disadvantaged ones, in the formal labour market?

On the issue of women's reproductive health, the delegation was asked about the implementation level of strategies and measures on this subject; the national policy on contraceptives and measures to discourage abortion as a contraceptive measure; gender approaches in the national response to HIV/AIDS; and the findings of the 2012 mapping of HIV/AIDS services. The efforts of the Government to keep maternal mortality very low were commendable, however Roma women could not afford to pay pre and post-natal care and that there were language obstacles in accessing maternal health services; what measures were in place to address those obstacles?

There was persistent discrimination against rural women in the former Yugoslav Republic of Macedonia; few completed primary education, they experienced obstacles in accessing health services, and very few enjoyed remunerated work. How was violence against rural women being addressed?

### **Response by Delegation**

Real progress had been made in the former Yugoslav Republic of Macedonia with regard to gender disaggregated statistical data on education, which was now readily available. Measures undertaken to reduce drop out rates of girls included involving parents in the education process of their children, and the provision of free-of-charge text books and free school transport and accommodation where needed. Integration of gender perspectives in the curriculum had been carefully considered during the curriculum revision process and the development and evaluation of new textbooks. The higher education sector paid particular attention to gender non-discrimination which was evident in the data indicating good performance of women in this area.

The national strategy for gender equality 2013-2020 included planned activities in the area of education, which included development of gender sensitive pre-school curriculum, analysis of primary education textbooks from gender perspective, increased capacity of teachers and promoting gender equality in high education and scientific and research processes in universities.

The Government made great investments in the education of Roma and since 2006 a project was being implemented to increase the enrolment of Roma children in primary education and 400 children were involved in pre-school every year. A total of 10,753 Roma children had been in primary education during the last school year, of which 5,528 were boys and 5,225 were girls. The total number of Roma children in secondary schools was 1,954, of which 1,054 were boys



and 900 were girls. In 2010-2011 a total of 13 Roma children had dropped out of school.

Improvements concerning discrimination in employment and provisions had been made to facilitate reconciliation between professional and family life. Pregnant women were protected from termination of their employment contracts throughout the pregnancy. Unemployment rates in rural areas were very high and especially affected women, both in relation to men and in relation to women in urban areas. The Government had allocated agricultural land to families and they would receive subsidies from the State for agricultural production.

The strategy for safe motherhood was valid until 2015 and was supported by the National Action Plan which had largely been implemented. The strategy defined the number and content of pre-natal examinations, training for gynaecologists and primary health care staff, the implementation of health protocols and introduction of the maternity card which enabled appropriate follow up of the pregnancy.

The information centres and youth counselling centres provided advice and free of charge contraceptives. The HIV/AIDS strategy adopted in January 2013 was a human rights based document and aligned with the global and United Nations standards, financed by the Global Fund. Gender perspectives were integrated in the strategy which offered specific measures for women and girls tailored to their needs and to the preservation of their dignity.

### **Follow-up Questions and Responses**

Following-up on the responses provided by the delegation, Experts revisited the issue of formal ownership of agricultural land and whether titles were in the name of men or women. Concerning the principle of equal pay for equal work, what was being done to transform traditional attitudes on the division of household work between men and women? An Expert also asked whether the former Yugoslav Republic of Macedonia would consider the introduction of quota systems for subsidized work for women to improve the participation of women in labour market as a temporary special measure, the introduction of paternity leave for fathers, and about the situation of day care centres.

Land owners were mostly men, said the delegation, but women were entitled to inherit part of it. The percentage of women who were inactive was higher in comparison to men; in order to create an inclusive labour market and prepare the country for the European strategy of social inclusion, the Government was looking into causes leading to the inactivity of women in the labour market, particularly for rural and minority women. Based on the findings, adequate programmes would be prepared to address the problem. Concerning temporary special measures for the employment of vulnerable categories of citizens, the results in the future period would show the need for such measures which would then be implemented by the Government.

### **Questions by Experts and Responses**

A Committee Expert asked whether early marriages represented harmful traditional practices or trafficking or forced prostitution and about the situation concerning prostitution in the country.

Another Expert asked about the system of division of property acquired during marriages and if it included both tangible and intangible assets. The phenomenon of cohabitation or de facto unions was on the increase, and yet the definition of family in the law was very strict and applied only to formal marriages; what measures were in place to safeguard rights, particularly economic rights of partners of such unions? Did divorce law provide for no fault divorce and did fault have any implication on economic rights of partners following divorce?

Responding, the delegation said that the law on family and other laws in the country protected the rights of women to the highest degree possible. Women had equal rights to property accumulated during marriage, including the property inherited by the spouse during the marriage. Women could also initiate a procedure for the division of property in case of divorce, and they had the right to pension, savings and insurance gained during the marriage.

Early marriages or arranged marriages used to be practiced by Roma and the Albanian population but were now rare and did not represent trafficking or forced prostitution.

A marriage could be dissolved on the request of one of the spouses and guilt was not a prerequisite. Men and women had an equal right to inheritance. Each citizen in the country, including victims of prostitution and victims of trafficking, was entitled to free health care.

Prostitution was illegal in the former Yugoslav Republic of Macedonia and sexual workers used services of counselling centres and free HIV/AIDS testing services.

Partners in de facto unions enjoyed the same rights as those in formal marriages.

### **Closing Remarks**

IBRAHIM IBRAHIMI, Deputy Minister of Labour and Social Policy of the former Yugoslav Republic of Macedonia, said that the former Yugoslav Republic of Macedonia was trying to achieve results in gender equality in accordance with the Convention. The country had also applied the European directives in their bid for membership in the European Union.

NICOLE AMELINE, Chairperson of the Committee, encouraged the former Yugoslav Republic of Macedonia to continue in its efforts, particularly in light of the economic crisis, and to pay attention to the situation of minorities, violence against women and human trafficking. Ms. Ameline commended the intention to ratify the Istanbul Convention and to implement European legislation.

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