

Macedonia

1. INSTITUTIONAL ISSUES

1.1 Decade Action Plan Drafting

Macedonia's Ministry of Labor and Social Policy (hereinafter, the Ministry of Labor) coordinated the planning phase of the Decade of Roma Inclusion and the drafting of the country's Decade Action Plan (hereinafter, DAP). Within the Ministry of Labor, Mabela Kamberi, head of the Department for Coordination and Technical Assistance, was charged with leading these efforts. This appointment presented several advantages: For one thing, as Department Head Kamberi is herself a member of the Roma community, and she has both first-hand knowledge of the situation of the Roma community and legitimacy among the target group of the Decade. Furthermore, since she is a qualified public administrator whose appointment is not political, the choice ensured not only impartiality, but also a degree of stability for Decade-related activities through several organizational and leadership changes in the Ministry of Labor.

Following her appointment, Department Head Kamberi set up a Working Group made up of: representatives of the relevant ministries, state agencies, and institutions; Roma leaders, such as a Roma member of parliament and the mayor of Shuto Orizari, a municipality where the majority population is Roma; and representatives of four Roma nongovernmental organizations. This group worked on drafting the DAP

during four thematic workshops—one for each focus area—organized during the second half of 2004.

1.2 Decade Action Plan Content

Much of the DAP is based on two documents, the Strategy for Improving the Situation of Roma in Macedonia and the Strategy for Development of the Roma NGO Sector, both of which were developed by NGOs. During the discussions surrounding the drafting of the DAP, the role of the NGOs was questioned by some members of the Working Group, who doubted the legitimacy and accuracy of the information presented by NGOs. But the presence of the NGOs helped to push the drafting of the DAP beyond reflexive institutional concerns, which resulted in a fairly balanced document.

Still, some important areas of action are missing altogether from the Macedonian DAP. For instance: no provisions are made for eliminating the segregation of Roma students into special schools; no actions are listed to prevent discrimination by employers in the private sector; and there are no proposals to ensure access to adequate healthcare and subsidized medicine for recipients of social assistance benefits. Similarly, cross-cutting priorities have not been sufficiently incorporated into the DAP, which means women's issues were left out. To address this shortcoming, Roma women's NGOs in Macedonia are currently pressing for revisions to the DAP that would mainstream gender equality in all Decade-related activities.

As it stands now, the Macedonian DAP is little more than an empty shell. Whatever new measures the DAP proposes are not backed up by the detail necessary to ensure proper enactment, and the document remains at the level of pro-forma general statement. The DAP primarily consists of a series of long-term goals and short-term objectives, defined more as “themes” than as realistic goals, and there is no clear assignment of institutional responsibility or funding. Many of the activities listed are in fact already ongoing as part of the implementation of other, primarily NGO-driven programs funded by external donors. Many of the fields are left blank. No provisions are made for monitoring activities under the Decade, most indicators are missing—and, where indicators are listed, they reveal a poor understanding of how to measure progress under the Decade. Specific time frames are often missing or vaguely defined, because, at the time the DAP was drafted, no member of the Working Group was able to determine the time needed for many of the activities. The cost and allocation of funding is also often unclear—both in terms of amounts, and in terms of sources and allotment mechanisms.

Moreover, some extremely vulnerable categories are entirely left out of the DAP. There is no provision for securing personal documents and resolving citizenship issues for Macedonian Roma who do not have identity papers or have not acquired Macedonian citizenship following independence. The Ministry of the Interior is making efforts to solve this problem, but the procedure for obtaining personal documents and citizenship is still overly complicated, non-transparent and costly. Similarly, there are no provisions made for the approximately 2,000 Kosovar Roma, Ashkalia and Egyptians who are living in Macedonia with no clear legal status since the Kosovo conflict (UNDP, *At Risk*). Because of their tenuous legal situation, Roma in these categories cannot access a host of human rights, including civil rights, political rights and basic rights relating to housing, education, employment and health.

1.3 Decade Coordination and Implementation

Officially, the national coordinator for the Decade is the Minister of Labor, but in practice the job is

delegated to Department Head Kamberi. While this situation has some advantages, as mentioned above, it also has its drawbacks. The Decade is just one among a host of programs that Kamberi is responsible for, and she lacks the necessary support staff to effectively devolve all of her duties, including duties relating to Decade coordination.

Work on the Decade is only supported by the National Working Group, which drafted the DAP. Following the parliamentary elections, the Working Group was turned into a coordination body by government decision on November 18, 2005. The coordination body was enlarged with members representing several ministries and with a few new Roma leaders. The body now has 26 members, nine of whom are Roma: Department Head Kamberi, two Roma members of parliament, the mayor of Shuto Orizari, and five Roma NGO representatives.

The effectiveness of the coordination body is a problem, because all ministry representatives have purely administrative functions and do not hold decision-making positions or political influence in their ministries. Working teams were set up in four ministries, each corresponding to a focus area, but, again, the scope of their work and of their influence within government structures is unknown. There is a general understanding that the coordination body has a consultative role with the government, but, as the Ministry of Labor has not finalized the rules of procedure for the body, the scope and nature of its powers remain unclear. Additionally, the coordination body does not have any support staff, and it has no funds at its disposal. The Ministry of Labor provides some logistical support for the regular meetings of the body in the form of one employee who is delegated to send invitations and deal with organizational details relating to the meetings.

Following the adoption of the DAP, operational plans with budget estimates were prepared for the first three years of the Decade. Yearly operational plans, developed on the basis of the general DAP, contain more details as to the implementation of some specific activities and have more specific funding estimates attached to some line items. Still, these plans are not specific enough: It is not clear from where or, for that matter, how, the funding is going to actually be secured, and the plans do not say which of the various state institutions listed is responsible for implementation. Starting

in 2005, the government sent requests for funding re-allocation to several ministries. As of this writing, the only ministry to answer the government's request is the Ministry of Labor, which allocated the equivalent of EUR 16,000 for opening local informational offices in several locations. The overall inaction may be due to the fact that, in the period leading up to parliamentary elections, the former government was reluctant to take unpopular decisions, such as earmarking money from the state budget for Roma projects. As a result, these operational plans became mere paper documents, of no practical consequence to Roma inclusion goals under the Decade.

At the initiative of local NGOs and through outreach by Mabea Kamberi, six municipalities have developed their own local action plans. Four of these six plans were actually adopted by municipal councils and mayors—in Tetovo, Stip, Gostivar, and Kumanovo. But this progress was achieved solely as a result of initial action by Roma NGOs and is not yet supported as a systemic nationwide policy by the Decade coordination body. So far, the coordination body has only sent letters containing information on the Decade to local authorities and engaged them informally. A formal meeting with mayors was also planned, but has not taken place yet.

No official report on DAP implementation has been published, although a series of agencies and ministries have submitted reports to the Decade coordinator: for example, the reports for the first quarter of 2006 prepared by the Ministry of Transportation and Communications (hereinafter, the Ministry of Transportation), the Ministry of Labor, and the Ministry of Health. It would appear that the education section of the DAP is the only area where there has been some implementation—primarily of projects financed by external donors, such as the Roma Education Fund, USAID, the Netherlands Embassy, etc. Possibly in response to provisions in the DAP, the Ministry of Transportation issued an internal decision relating to the legalization of unregistered Roma settlements, but to-date it is not clear whether this has been implemented at all. Indeed, recent cases of evictions suggest that the decision has had no effect whatsoever.

2. FOCUS AREAS

2.1 Education

Some schools occasionally send the Ministry of Education enrolment data that is disaggregated by ethnicity, but this data is neither nationally representative nor regularly updated. Moreover, there is no data on the number of children who do not attend school—either because they never registered or because they dropped out of school.

Non-compulsory preschool programs in Macedonia are partly paid for by parents. This means that most Roma children whose families cannot afford preschool fees are in practice excluded from non-compulsory preschool education, unless NGO programs facilitate access to preschool in the area. Preparatory classes for potential first-graders were not mandated by the Law on Primary Education until the beginning of the 2006-2007 school year. To improve the situation, the Ministry of Labor, in cooperation with the Roma Education Fund, has initiated a preschool program aimed at making early education available to Roma children. Fifteen preschools are targeted, but, as the program is still in the early stages, it is not possible to report on outcomes and effects at present. Until September 2006, many schools that did not have the resources to organize preparatory classes did not make them available to children. As of this writing, there is no information on whether every school has complied with the new regulation mandating the organization of preparatory programs for all.

School enrolment is currently left entirely to parents. The DAP mentions increasing parent involvement, but it fails to clarify what it means by the term “parent involvement,” or how it should be accomplished. There are no proactive measures in place to ensure that all children who are supposed to be included in compulsory primary education are registered. In some cases, NGOs and external donor-driven programs fill this gap by facilitating school registration through local education centers (Roma Education Fund, *Advancing Education*). No other measures to systematically encourage school participation, such as subsidized transportation, free school lunches, etc., have been adopted. There are no Roma teaching assistants or school mediators to

facilitate access to quality education for Roma children. Children without identity papers who start going to school often have to stop before completing a full year because registration requirements do not allow them to stay in school without proper documentation. Housing registration issues compound these problems, as Roma often live in unregistered settlements or in settlements which, even if registered, are not included in a particular school district that would have the obligation to take in children from the settlement. As a result, many Roma children are sent to school late, or not at all (Roma Education Fund).

Those who are sent to school in a timely fashion face a series of obstacles. School readiness tests are not culturally sensitive, and many Roma children who are unfamiliar with the context for formal education are directed towards special schools as a result of such tests (Roma Education Fund).

Meanwhile, mainstream schools often turn down Roma students with the claim that they are oversubscribed. Because there is no per-capita funding scheme in the Macedonian education system, schools have no incentives to keep as many students as they can. As a result, Roma students often end up in the least attractive schools, where non-Roma students are less likely to register or stay. Several cases of ethnically segregated schools have been reported (Roma Education Fund). Macedonian law currently does not provide any mechanisms for preventing or punishing such cases of educational segregation.

Roma students who do not do well in school do not get the necessary support and extra tutoring that they need, unless they are supported through non-governmental programs such as the Roma Education Centers. In the early years of school, many Roma children are automatically promoted to the next grade. This practice only makes it harder for Roma students to integrate later in their school careers—or to compete for secondary schools. Many of them end up repeating grades later, and they eventually drop out as a result of this practice (Roma Education Fund).

There is some support available for Roma students in secondary education: A joint program of the Ministry of Education and the Foundation Open Society Institute–Macedonia, with Roma Education Fund support, provides scholarships with a view to increasing the number of Roma students in second-

ary schools. Some 657 Roma students have benefited from Ministry of Education scholarships as of this writing, and an additional 264 have received scholarships through the Foundation Open Society Institute–Macedonia (*Annual Report 2005*). Although there is no clear baseline against which to measure progress, independent observers have noted that the scheme has helped increase the number of Roma enrolled in secondary education, as well as their overall performance in school.

Drop-outs can re-enlist in adult education only after the age of 17. However, adult education classes do not offer the necessary qualifications for employment upon graduation. Meanwhile, vocational training opportunities are limited. For those who did not complete secondary education, the National Employment Services can organize a vocational training course, but only upon the request of particular employers.

Attempts to introduce affirmative-action measures in higher education have not yielded the expected results, as the quotas for Roma students have often been abused by non-Roma seeking admission to university. Some universities have quotas for Roma or for minorities, more generally, but the availability of places varies from year to year. The government funds merit-based scholarships, as well as combined need- and merit-based student loans—which are in practice never repaid—for all students, but the number of Roma students who receive such scholarships or loans is not known (Roma Education Fund).

The Macedonian education system has yet to be reformed to adequately address the needs of a multicultural society. There is no systematic, mandatory anti-bias training for teachers, and no integration of Roma culture and history in mainstream curricula. Anti-bias training sessions organized by the Foundation Open Society Institute–Macedonia received the formal patronage of the Ministry of Education, but no systematic policy was developed based on this model. Where Roma are mentioned in textbooks, they are often represented in a manner that reinforces, rather than combats, negative stereotypes. No Romani language curriculum has been developed, and no language preparation for accessing mainstream schools is available for children whose first language is Romanes. Roma teachers are few and far between, so that most Roma students are taught by people who are burdened with prejudice and negative stereotypes (Roma Education Fund).

While the education section of the DAP gestures toward many of these problems, it fails to address them in the detailed, pragmatic manner that would ensure translation into actual policies and, eventually, practices. Most of the goals and short-term objectives are formulated in such vague terms as to render them meaningless, and no implementation or funding mechanisms are listed to elucidate the manner in which the objectives are supposed to be achieved. For instance, there is no specific understanding of how a “short-term objective” such as “enabling access to secondary education for young Roma students (meeting minimum standards)” is supposed to be achieved. On some level, the current state of affairs ensures that Roma students who meet minimum standards have access to secondary education on a competitive basis, but the problem is ensuring that Roma students have equal chances—including the necessary compensatory conditions—to meet and exceed minimum standards. In the absence of clear mechanisms for implementation, and even funding, it is impossible to surmise what specific measures the Macedonian government intends to implement in order to achieve this goal.

A few more-felicitous formulations at least hint at the manner in which the general objectives listed in the DAP will be implemented. For instance, the statement noting the importance of “providing conditions for inclusion of all Roma children in the (future) compulsory preschool education” indicates that the government did indeed intend to make preschool programs mandatory, even though it does not explicitly commit to do so anywhere in the text of the DAP.

2.2 Employment

No official nationally representative data on Roma employment in Macedonia is available, but the National Employment Agency keeps records of registered unemployed by ethnicity. For instance, the agency reported that, as of March 31, 2006, there were 15,960 unemployed Roma registered in Macedonia (*Review of Unemployed Persons*). This figure, however, hides the real magnitude of the situation, because many Roma who are long-term unemployed are no longer—or never were—officially registered. Thus, according to estimates released by the National Employment Agency in 2004,

for every Roma in full employment there are nearly three Roma without any employment whatsoever. The national Statistical Office estimated that, among Roma, the unemployment rate in 2003 was 83.4 percent, while, among the general population, it was 36.6 percent for the same year. NGOs have reported Roma unemployment to be even higher, reaching 95 percent in some areas (Minority Rights Group International, *Micro Study*).

None of the programs and services devised to stimulate employment target Roma specifically, and none are even tailored to the particular needs of Roma. A few NGO programs addressing the specific employment situation of Roma exist, but their capacity is extremely limited as compared to national agencies. Moreover, there are no indications that the government intends to adopt and expand these NGO models in the near future. Consequently, Roma are primarily served by the National Employment Agency, an institution that appears to be ill-equipped to deal with Roma as a specific disadvantaged group. For instance, the agency was unable to provide any answer to the question of whether its staff had undergone anti-bias or sensitivity training in recent years. Neither the agency nor other state institutions offer any anti-discrimination training or information to employers. Indeed, race and ethnicity are not even among the officially listed grounds for discrimination: Macedonia recently drafted an anti-discrimination law, but it focuses on gender and disability-based discrimination only, and, as of this writing, it had not been adopted. And yet, discrimination against Roma is evidently widespread in Macedonia. A 2004 needs assessment published by the World Bank (World Bank, *Needs Assessment Study*) found that the name, surname and ethnicity of job seekers significantly affect hiring decisions. The report referred to a 2003 survey of 750 Roma, in which nearly 50 percent of the interviewees stated that they had experienced discrimination when applying for work (ISPPI and RMCM).

Thus, Roma can access employment-related services only through the generally available employment-related programs developed primarily by the National Employment Agency. These include counseling and career orientation, matching job-seekers to potential employers, and some training courses. Roma have complained that many of the training courses offered by the agency, such as English or computer classes,

require participants to have a higher education degree, a stipulation that indirectly discriminates against Roma (Minority Rights Group International).

Subsidies are available for employers hiring people with disabilities and for employers contracting job applicants who have been unemployed for at least one year. The subsidies stop after the first three years. Limited vocational training programs are usually available only at the request of specific employers, and they are not initiated by the National Employment Agency. These programs provide a salary during the training and a refund to the employer for offering the training itself. According to the National Employment Agency, 147 unemployed Roma were trained in this manner during the first three months of 2006. Unfortunately, the current status of these Roma trainees is not known. Independent observers have expressed concern that Roma are usually fired after the training period ends, and cases of Roma who underwent several such vocational training periods without ever being kept in permanent employment are not infrequent (Minority Rights Group International).

There are no national microfinancing programs for Roma businesses, though there are models that could be picked up by the government. Most financing for business is available through mainstream commercial institutions, which set terms and conditions that disqualify Roma applicants from the start. A Council of Europe Development Bank and Open Society Institute-funded organization, Horizonti Foundation, is providing training and loans to Roma entrepreneurs, but no similar programs have been initiated by the government to date. The Ministry of Labor, however, is expected to develop a grant scheme for self-employment in 2007.

Consequently, as elsewhere, public works projects are the most common form of employment for those registered with the National Employment Agency, but they are only a short-term palliative solution that does not address the long-term employment needs of most Roma.

The employment section of the DAP addresses these issues in a fairly thorough, pragmatic, and detailed manner. It recognizes the need for developing a targeted, tailored approach to Roma unemployment, beginning with anti-bias training for state employees and ending with setting up local structures for data col-

lection, information dissemination, and employment facilitation services. The DAP proposes, albeit in vague terms, that the legal framework governing employment should be re-examined so as to make room for socially conscious enterprise and affirmative action. It pragmatically acknowledges the importance of the gray economy as a source of subsistence for Roma and suggests that unregistered businesses be allowed to register, but it does not specify how. Furthermore, the DAP indicates a commitment to including Roma in future project design and implementation, and to including them in the public administration and local employment agencies.

Unfortunately, these excellent ideas are not backed up with any specific indications as to how they will be enacted. No implementing agencies are listed, no budgets are affixed to individual actions—or to the employment DAP as a whole, for that matter—and very few clear deadlines are set before the end of the Decade. Under these circumstances, and in the absence of a comprehensive government report on Decade implementation, the government makes it very difficult to monitor the way in which it fulfills the employment inclusion goals set as part of the Decade.

2.3 Health

The healthcare system in Macedonia is generally in a sorry state: It is expensive even for middle-class people, corruption abounds, and healthcare workers have a paternalistic, insensitive attitude towards all patients, but especially towards unpopular groups such as Roma. In addition to the general failures of the healthcare system, the extremely poor living conditions and the environmental hygiene of Roma settlements contribute to the poor health outcomes of Roma. Roma exhibit higher infection rates from endemic diseases, such as tuberculosis, and life expectancy among Roma is lower than among the general population (European Roma Rights Centre, *Ambulance*). Furthermore, infant mortality among Roma is extremely high: According to information from the national Statistical Office, the infant mortality rate among Roma is at 13.9 percent, higher than for any other ethnic group in the country (European Roma Rights Centre and National Roma Centrum, *Written Comments*). More data, however,

needs to be collected, as currently there is no information about vaccination rates or Roma access to health insurance.

There are no governmental programs specifically targeting Roma health, but some of the mainstream programs developed by the Ministry of Health have reached out to Roma beneficiaries, as well as to non-Roma. For instance, some of the money received by the Ministry of Health from the Global Fund to Fight AIDS, Tuberculosis and Malaria appears to have reached Roma communities, as well as the non-Roma population (*Grant Performance Report MKD-506-G02-T*). Vaccination campaigns included Roma communities, and they appear to have been largely effective. However, there is no government-supported program for reproductive health that benefited Roma. Some NGOs developed programs in this area, but their model was not followed by the state.

There are no health mediators in Macedonia. The closest equivalent of health mediators are the social workers who are employed in each healthcare institution. Social workers help with filing for one-off health-related benefits and with liaising with relevant social services and NGOs. Unfortunately, the social workers have no health training, they do not have a presence in Roma communities, and they are not prepared or hired to work with Roma specifically.

But by far the biggest obstacles Roma face have to do with registering for health insurance. In order to access health insurance, one often needs to demonstrate legal residence and employment status (or registration with the National Employment Agency). As discussed in the previous sections, Roma often do not have either of these—and therefore are entirely left out of the health insurance system. Another problem, raised primarily by women's NGOs, is the practice of insuring all family members through the one member who has gainful employment or is officially registered as unemployed. Because of labor division within traditional families, most such insurance policies are awarded to men, and they are often used as an instrument for control over women. NGOs have suggested that this practice be replaced by a system that provides direct insurance to each individual member of the family.

The health section of the DAP, though by far the longest section of the entire document, does not cover many of these issues. It focuses primarily on healthcare

education and awareness-raising for Roma, unfairly placing the burden of reform on the shoulders of the Roma community, rather than on the government. It fails to indicate practical solutions, suggesting instead some absurd ones, such as removing systemic barriers to health insurance coverage by disseminating information on health insurance procedures in Roma communities. Finally, it presents as discrete objectives a series of overlapping activities—such as the recurrent short-term objectives that flow from organizing 10 mobile teams and setting up 20 new clinics. As a result, the health DAP manages to appear substantial even as it provides for very little action from the Macedonian government over the entire course of the Decade.

2.4 Housing

The overwhelming majority of Roma in Macedonia live in urban areas, in concentrated slum settlements at the edge of larger municipalities and in inner-city ghettos. Roma neighborhoods often lack basic infrastructure, such as paved roads; public utilities, such as clean running water or sewage; and accessible services, such as garbage removal, telephone communications, etc. Roma live in overcrowded, inadequate housing: For instance, a 2000 questionnaire circulated in Shuto Orizari revealed that more than half of the Roma families in that municipality lived with another family, and that 40 percent of the Roma in town live in less than 10 square meters of space (Ministry of Labor, *Strategy for Roma*). More than half of the respondents did not have facilities to bathe, and as many as 15 percent used improvised toilets.

Under these circumstances, many Roma houses do not meet minimum standards to qualify for legalization. The problem is compounded by the fact that many Roma themselves lack the personal identity documents necessary to initiate the process of legalizing the status of their homes. Furthermore, houses that are not legalized are caught in a vicious circle, as detailed urban plans often exclude unregistered residences. These urban plans are later used by bureaucrats to deny registration to the Roma houses that were not listed in the plans. Another problem is that procedures for obtaining property rights include fees, which in effect render them inaccessible to Roma.

Roma in unregistered homes in Macedonia often find themselves the object of eviction procedures. Forced evictions are not uncommon, especially in urban areas that have some potential on the real estate market. In such cases, authorities do not provide Roma with alternative accommodation.

The housing section of the DAP is especially vague. Some of the activities listed have to do with researching international regulations and harmonizing domestic legislation with international standards. Most of the line items consist of vague, impossible-to-measure short-term goals, such as encouraging Roma lobby groups to actively take up the issue of housing with local authorities, or encouraging local authorities to solve the housing problems of Roma. A few more specific actions listed include the development of urban zoning plans for Roma settlements and the development of the necessary infrastructure and basic utilities systems for these settlements. But these ideas are not backed by plans for implementation or funding mechanisms. The fact that the entire housing section of the DAP does not have any funding associated with each of the listed goals raises serious concerns as to the ability, and intentions, of the Macedonian government to implement the Decade's housing-related inclusion goals.

Some movement in the area of housing has been registered in Macedonia, but most of it pre-dates the Decade and appears unrelated to it, at least in official documents. For example, the Ministry of Transportation, responsible for housing-related issues in Macedonia, has developed some initiatives that could potentially impact the living conditions of Roma in the

coming years. The ministry has submitted a Housing Strategy for 2006–2011 to the government for adoption. As of this writing, there was no indication as to how—or, indeed, whether—the document addresses housing and property rights for Roma in Macedonia. The Ministry of Transportation is also preparing a draft law on the legalization of illegal buildings. Another initiative to automatically legalize all buildings erected without permit prior to 1968 was adopted in 2005 (*Law for Buildings and Construction*), but, again, there is no information on how, or whether, this initiative was implemented. In addition, the Ministry of Transportation has approved a detailed urban plan for the Kocani Roma neighborhood; begun the process of reviewing the new urban plan for the mostly Roma municipality of Shuto Orizari; and expedited the development of urban plans in response to environmental emergencies in the Roma neighborhoods of Veles and Kumanovo.

The Ministry of Transportation indicated that it will support the building of social housing that would have Roma, among others, as potential beneficiaries, and it will fund the construction of a sewage system in Shuto Orizari (*Program for Building and Maintaining of Flats in Possession of Republic of Macedonia*). Similar NGO programs, however, have met with resistance from local authorities, who refuse to cooperate on projects benefiting Roma. Some social housing was indeed built in Shuto Orizari, but the application process has yet to start, as the conditions for accessing the housing have not been made public as of this writing.