

In 2016, Macedonia made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Commission for Trafficking in Persons and Illegal Migration established three new local commissions and assisted in the development of an action plan. The Government also trained first responders on the Standard Operating Procedures on Unaccompanied and Separated Children and Vulnerable Persons and screened migrants and refugees, including children, for human trafficking. In addition, Government funding for programs dedicated to combating trafficking in persons increased. However, children in Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. Macedonia lacks recent, comprehensive data on the nature and extent of child labor in the country. In addition, the law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation.(1-6) Table 1 provides key indicators on children's work and education in Macedonia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (44,161)
Attending School (%)	5 to 14	86.8
Combining Work and School (%)	7 to 14	19.5
Primary Completion Rate (%)		88.3

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Street work, including vending small items, cleaning vehicle windshields, scavenging, and begging (2-5)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 5, 6, 9-11)
	Forced begging (1, 3, 5, 6)
	Domestic work as a result of human trafficking (1, 9, 12, 13)
	Forced labor as wait staff and dancers in restaurants, bars, and nightclubs (6, 13)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The majority of children involved in child labor in Macedonia engage in street work, including vending small items, cleaning vehicle windshields, and begging.(3, 4, 6) Some children engage in begging to help support their families, while others are forced to beg. The majority of children involved in street work are of the Roma ethnicity.(1, 3, 4) Macedonia lacks recent, comprehensive data on the nature and extent of child labor in the country.

The majority of victims of child trafficking in Macedonia are girls, between the ages of 14 and 17, who have been trafficked domestically for commercial sexual exploitation and forced labor in restaurants, bars, and nightclubs.(1, 9, 12) Girls in

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eastern and central Macedonia have been identified as being at particularly high risk for human trafficking.(14) Roma girls, especially, are also trafficked for forced marriages in which they are subject to sexual and labor exploitation.(1, 9, 12)




Afghani, Iraqi, Iranian, Syrian, and other children transiting through the country, either legally or illegally, are vulnerable to trafficking for labor and commercial sexual exploitation.(11) Between January and March 2016, approximately 34,402 children transited through Macedonia, of which 226 (117 Afghani, 28 Iraqi, and 81 Syrian) were without an accompanying parent.(15) After the border closure in March 2016, 44 percent of the total number of migrants in transit centers were children.(15) Unaccompanied Afghan children between the ages of 13 and 15 were especially vulnerable to being subjected to labor exploitation through debt bondage by smugglers.(1, 16)

The Government was unable to fully meet the demand for instruction in Romani due to a shortage of qualified teachers.(17) Birth certification is required for attending school in Macedonia, and some Roma children had difficulty accessing education due to a lack of birth registration and identity cards.(10, 18, 19) Classes for children with intellectual disabilities have disproportionately high enrollment rates of Roma children due to discrimination based, in part, on faulty screening procedures for assessing intellectual disabilities.(19-22) Increased government funding for programs to eliminate barriers to education has increased school attendance rates among Roma children.(19) Barriers remain, however, and increase Roma children's vulnerability to child labor.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Macedonia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Macedonia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations Related on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 42 of the Constitution; Section 7 of the Labor Relations Act (23, 24)
Minimum Age for Hazardous Work	Yes	18	Sections 7, 63, 66, and 67 of the Labor Relations Act (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rulebook on the Minimum Occupational Safety and Health Requirements for Young Workers (25)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution; Articles 418, 418-c and 418-d of the Criminal Code (23, 26)
Prohibition of Child Trafficking	Yes		Articles 418-c and 418-d of the Criminal Code (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190-193b of the Criminal Code (26)

Table 4. Laws and Regulations Related on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 12 of the Law on Child Protection (27)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 62 of the Law on Defense (28)
State Voluntary	Yes	18	Article 62 of the Law on Defense (28)
Non-state Compulsory	Yes		Articles 122, 322-a, and 404 the Criminal Code (26)
Compulsory Education Age	Yes	16	Articles 4, 5, 47, and 172 of the Law on Primary Education; Article 3 of the Law on Secondary Education (29, 30)
Free Public Education	Yes		Article 44 of the Constitution (23)

* No conscription (31)

The law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships.(3, 24)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Policy (MLSP)	Work with the police to seek out street children in need of assistance and track cases of forced child labor through the Department of Social Inclusion.(14, 32) Register complaints about hazardous child labor and investigate children's participation in street work through the Centers for Social Work (CSWs) and Ombudsman's Office, which includes a special unit for the investigation of violations of child rights and refers complaints to the State Labor Inspectorate.(3, 5, 33) When child labor is detected, the child is removed, put under the care of the CSW, and interviewed by a social worker. The child is then either returned to the family or taken to a safe house.(5)
State Labor Inspectorate (SLI)	Enforce child labor laws and transmit cases of suspected criminal law violations to the Public Prosecutor. Inspectors conduct a minimum of 60 target and compliant-based cases per month.(32, 33)
Ministry of Interior (MOI)	Enforce laws related to hazardous child labor. Investigate cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities through its special police unit for organized crime, corruption, and human trafficking.(33) With MLSP, formed mobile teams in previous years to identify street children and remove them from hazardous situations, but in 2016 the MOI did not do this.(1, 3, 11)
Public Prosecutor's Office	Prosecute criminal law violations, including those involving the worst forms of child labor.(34) Has an Organized Crime and Corruption Unit with four prosecutors dedicated to cases of child abuse and the worst forms of child labor. The Skopje Basic Prosecutor's Office has eight prosecutors for child abuse cases.(13, 35)
Office of the National Referral Mechanism	Refer potential cases of child victims of human trafficking to law enforcement authorities for investigation, and refer potential victims to social services.(14, 35)

During the reporting period, the Ministry of Labor and Social Policy (MLSP) Department of Social Inclusion led efforts to remove Roma street children who were considered potential victims of forced begging.(11)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Macedonia took actions to combat child labor, including its worst forms (Table 6).

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown (17)
Number of Labor Inspectors	79 (3)	74 (17)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (5)
Training for Labor Inspectors		
Initial Training for New Employees	No (3)	Yes (5)
Training on New Laws Related to Child Labor	No (3)	No (5)
Refresher Courses Provided	No (3)	Yes (5)
Number of Labor Inspections	26,872 (3)	16,671 (17)
Number Conducted at Worksite	Unknown	16,671 (36)
Number Conducted by Desk Reviews	Unknown	0 (5)
Number of Child Labor Violations Found	0 (3)	0 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (3)	Yes (5)
Routine Inspections Targeted	Yes (3, 13)	Yes (5)
Unannounced Inspections Permitted	Yes (3)	Yes (5)
Unannounced Inspections Conducted	Yes (3, 13)	Yes (5)
Complaint Mechanism Exists	Yes (3, 13)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3, 13)	Yes (5)

Macedonia's State Labor Inspectorate (SLI) is responsible for enforcing all labor laws, including laws on child labor, in all sectors of the formal economy. A source reported that the resources were adequate in 2016.(5)

In previous years, inspections conducted by the MLSP were not shared among offices due to a non-existent central database.(33) This led inspectors to write reports without having knowledge about the findings in previous inspections. Labor inspection reports were not always shared within the SLI and between the SLI and MLSP.(33, 36)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Macedonia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (1)	Yes (36)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Yes (36)
Refresher Courses Provided	Yes (1)	Yes (11)
Number of Investigations	Unknown (13)	13 (17)
Number of Violations Found	Unknown (13)	6 (17)
Number of Prosecutions Initiated	Unknown (13)	13 (17)
Number of Convictions	7 (13)	0 (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (5)

In Macedonia, legal requirements mandate that public prosecutors receive a 30-month training on criminal deeds, including child labor.(17) Training was conducted for police officers on border management during humanitarian crises and identification of human trafficking victims. The MLSP trained 60 social workers employed at orphanages and CSWs on identification of human trafficking victims.(11) Between October and December 2016, 150 stakeholders, including border police and NGOs, received training on foreign unaccompanied and vulnerable children.(11)

In 2016, three children were identified as victims of human trafficking and referred to the government shelter to receive protection and assistance.(11) Two children remained in the shelter for an extended time, and one was taken to a foster family.

The Prosecutor's Office is underfunded. Although human trafficking cases are given high priority and tried by the Organized Crime and Corruption Prosecutor's Unit at the main court in Skopje, these cases sometimes remain in the court system for years without conclusion.(33, 35) Despite the acknowledgement that trafficking of children remains a problem, the Government's attention has shifted away from taking concrete action to focusing on the refugee and ongoing domestic political crises.(17) Sources reported that border agents were unable to properly identify victims of human trafficking and proper coordination was lacking.(11)

The Government implemented the 2015 Standard Operating Procedures (SOPs) on Unaccompanied and Separated Children (UASC) and Vulnerable Persons, which clearly outline identification, referral, and processing of UASCs. The National Commission for Trafficking in Persons and Illegal Migration (National TIP Commission) trained first responders on the anti-trafficking SOPs that apply to unaccompanied children and screening of migrants and refugees for human trafficking.(11) All referred unaccompanied alien children (UACs) were assigned guardians and underwent a best interest assessment. However, the Government assigned random adult refugees guardianship of unaccompanied children, granting them legal control over the children and their travel documents.(16, 17, 36)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Protection of the Rights of Children	Coordinate efforts to protect children's rights, including by preventing and eliminating child labor, by providing social services.(33) Led by the MLSP.(5)
National Coordination Body for Protection of Children from Abuse and Neglect	Oversee implementation of the National Action Plan for Prevention and Countering Abuse and Neglect of Children. Comprises representatives from civil society, WHO, and UNICEF country offices.(37)
National Commission for Trafficking in Persons and Illegal Migration (National TIP Commission)	Coordinate the work of all institutions involved in combating human trafficking. Led by the National Coordinator for Combating Trafficking in Persons (National Coordinator) with representatives from governmental institutions.(33) Includes the Sub-Committee for the Fight Against Trafficking in Children, which serves as an advisory body to the National TIP Commission on all forms of child trafficking.(1, 33, 38) Led by the MLSP.(5) A new National Coordinator and National Rapporteur were appointed in 2016.(11, 36)

In 2016, all intergovernmental coordination efforts related to child protection were put on hold due to elections and political conflict between the ruling party and the opposition.(5) The National Commission for the Protection of the Rights of Children and the National Coordination Body for the Protection of Children from Abuse and Neglect did not meet.(5) The National TIP Commission was reportedly underfunded and played a limited role in coordinating efforts on prevention and protection among NGOs and local committees.(1, 11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan against Trafficking in Persons and Illegal Migration (2013–2016)	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, reducing the demand for the purchase of sexual services, improving victim identification, and increasing efforts to combat human trafficking for the purposes of forced begging and other forms of labor exploitation.(9) It was reported that the level of implementation was positive for the National Action Plan during the 2013–2016 period.(36)

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Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020)	Addresses social protection, social inclusion, health, education, and employment of children.(33) Aims to increase birth registration for Roma and other minorities, expand patrol services to identify and support street children, and improve the provision of social services for children involved in street work and begging. Implemented by the MLSP.(33, 39)
National Action Plan for Education (2016–2020)	Aims to increase inclusive education and improve education for the Roma community by increasing the number of students in preschool and elementary schools and decreasing the number of Roma students in primary schools for children with special needs.(40)

The Government did not provide sufficient funding for the National Action Plan against Trafficking and Illegal Migration and failed to fund any NGOs.(11) Research was unable to determine whether activities were undertaken to implement all policies of the National Strategy for the Fight Against Poverty and Social Exclusion and the National Action Plan for Education during the reporting period.(5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor*

Program	Description
MLSP Day Centers, Shelter, and Social Worker Trainings†	Operates two day centers that can hold 60 children and supports two other centers, partially funded and operated by NGOs, that can hold 80 children.(5, 41) Supports a street children transit center.(41) In 2016, provided services to 51 children at the day centers; 70 children received social services.(5, 17) Runs an ongoing program to instruct foster families on how to accommodate child trafficking victims. In 2016, implemented a program to train social workers on providing assistance to child trafficking victims placed with foster families.(5)* Provides counseling, education, and assistance with registration documents to street children and child human trafficking victims at 30 CSW facilities.(12, 33) In 2016, dispatched CSW workers to the border crossings and migrant camps to look for indications of human trafficking. Provided specific training on handling TIP cases and identification of victims.(11)
Hotlines	NGO Open Gate/La Strada operates a TIP hotline with seven operators.(17) NGO Megjashi runs an SOS hotline to report cases of child labor and abuse. In 2016, it received 82 calls involving 111 children.(17)
Center for Victims of Human Trafficking and Transit Center for Foreign Victims of Trafficking†	The MLSP runs the Center for Victims of Human Trafficking shelter, which provides housing, basic services, and reintegration services to victims.(1, 42, 43) The MOI supports the Transit Center for Foreign Victims of Trafficking, operated by NGOs.(42) In 2016, three minors were referred to the shelter.(11)
Program for the Protection of Children Against Violence (2016–2020)*	Government partnership with UNICEF, fully funded by UNICEF. Goals include strengthening national systems and service for prevention, detection, referral, and response to children victims and potential victims of violence and abuse.(5, 44) MLSP, MOI, and Ministry of Justice are all part of the project work plan.(17)
Inclusion of Roma Children in Preschool Education†	MLSP project implemented in cooperation with the Roma Education Fund and 19 government units. Aims to support the integration of Roma children by increasing the number of Roma children in preschool.(5)
Educational Seminars for Roma Students and Teachers	Ministry of Education, social workers, and NGOs provided educational seminars to several local Roma NGOs, students, and teachers. Children in the seminars were instructed on the risks associated with forced marriages of minors.(5)

* Program was launched during the reporting period.

† Program is funded by the Government of Macedonia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(1, 11)

New programs were launched in 2016 and government funding for combating trafficking in persons increased; however, programs funded by donors typically were not extended by the government after funding expired.(1, 5, 11) A source reported that funding decreased for victim assistance in shelters. Also, day centers have not reduced the number of children on the streets, especially of the Roma ethnicity, suggesting that existing programs were insufficient in combating child labor.(5, 11, 17)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Macedonia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that labor law protections apply to all children, including self-employed children and children working outside formal employment relationships.	2015 – 2016
Enforcement	Publish information on labor law enforcement, including SLI's funding amount.	2015 – 2016
	Provide training to labor inspectors on new child labor laws.	2014 – 2016
	Provide labor inspectors with an electronic system to record and share data on inspections, including the number of inspections, the number of violations found, and the number of citations issued by the SLI and the MLSP, and the entity receiving the citation, and publish the information.	2009 – 2016
	Provide sufficient funding to the Prosecutor's Office.	2013 – 2016
	Ensure law enforcement agencies proactively identify child trafficking victims and border agents coordinate to properly identify victims of human trafficking.	2015 – 2016
	Reduce the vulnerability to trafficking of unaccompanied children transiting through Macedonia or seeking asylum by ending the practice of granting random adult refugees guardianship of these children.	2016
Coordination	Reactivate meetings of the National Commission for the Protection of the Rights of Children and the National Coordination Body for the Protection of Children from Abuse and Neglect.	2016
	Increase the National Commission for Trafficking in Persons and Illegal Migration coordination role among NGOs and local human anti-trafficking committees.	2015 – 2016
Government Policies	Provide sufficient funding to implement the National Action Plan against Trafficking in Persons and Illegal Migration.	2014 – 2016
	Ensure that activities are undertaken to implement the National Strategy for the Fight Against Poverty and Social Exclusion and the National Action Plan for Education.	2016
Social Programs	Conduct research to determine the activities carried out by children engaged in child labor, including those in street work and those being subjected to commercial sexual exploitation.	2013 – 2016
	Reduce barriers to education by increasing the number of teachers who can provide education in the Romani language and eliminate placing children in schools for children with intellectual disabilities on the basis of ethnicity. Make additional efforts to register Roma children at birth.	2014 – 2016
	Increase funding dedicated to combating child trafficking, and ensure that child trafficking victims receive assistance that addresses their specific needs, including shelters.	2015 – 2016
	Increase the number of day centers to ensure all vulnerable children in need receive assistance.	2009 – 2016

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