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1999 Country Reports on Human Rights Practices

Released by the Bureau of Democracy, Human Rights, and Labor
U.S. Department of State, February 25, 2000

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

The Former Yugoslav Republic of Macedonia, which became independent following the breakup of Yugoslavia, is a parliamentary democracy led by a coalition government. It has a popularly elected president. In multiparty parliamentary elections held in October and November 1998, opposition parties defeated parties of the governing coalition in voting that international observers concluded was conducted fairly and reflected the will of the electorate. International observers considered the conduct of the first round of voting for president on October 31, 1999 to be satisfactory; however, there were allegations of fraud and ballot stuffing in the second round on November 14, and the Supreme Court ordered a rerun in most of the country's ethnic Albanian polling stations, which was conducted on December 5. That final round also was marred by irregularities; however, international observers concluded that these likely did not affect the final outcome, and resulted in the election of President Boris Trajkovski. The judiciary is generally independent.

The Ministry of Interior oversees the uniformed police, criminal police, border police, and the state intelligence service. Municipal police chiefs are responsible to the Ministry of Interior, not to municipal leaders. The Ministry is under the control of a civilian minister; a parliamentary commission oversees operations. The Ministry of Defense shares with the border police responsibility for border security. Some members of the police occasionally committed human rights abuses.

The economy is in transition from Yugoslav-style communism to a market-based system. Most firms are privatized, big money-losing enterprises are being restructured, and inflation has been held below 4 percent in recent years. The economy improved substantially after the lifting of the Greek embargo and the suspension of sanctions against Serbia, both in 1995, before which the gross domestic product had fallen an estimated 50 percent. Growth resumed slowly in 1996 and continued at about a 5 percent rate until the outbreak of the Kosovo crisis in the spring of 1999. The crisis cut many firms off from customers in Serbia and made the transportation of goods to and from other

parts of Europe more difficult and expensive. The overall economic effects of the Kosovo crisis are not yet clear, but the initial impact on the economy was quite negative. Unemployment is high; the gray economy is large. Some workers receive their pay weeks or months late.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Police on occasion abused suspects and prisoners, in particular Roma and refugees from Kosovo. Arbitrary arrest and detention are problems. The Government is working to end the practice of police compelling citizens to appear for questioning, pursuant to a 1997 law; however, incidents involving the use of such practices still occur. Another 1997 law imposes some limitations on religious practices. Societal discrimination against minorities, including Roma, ethnic Albanians, ethnic Turks, and ethnic Serbs, is a problem. Ethnic minorities continued to make progress in securing more representation in state institutions, although ethnic Macedonians still hold a disproportionately high number of positions. Violence and discrimination against women remain problems; trafficking in women and girls for prostitution is also a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 -- Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings. During a December 1998 police raid on the home of an ethnic Albanian suspect believed to have stockpiled illegal arms, the suspect's father was killed by police gunfire. A government inquiry cleared the police of any wrongdoing, but the incident remained controversial. In November according to press reports Czech police detained on drug charges a Macedonian citizen who also was being questioned in connection with the 1995 assassination attempt against then-President Kiro Gligorov, which resulted in two other deaths and a number of injuries. There were no further developments in the Government's inquiries into police actions during 1997 demonstrations in which three persons died.

b. Disappearance

There were no reports of politically motivated disappearances attributed to government agents.

According to Catholic Relief Services (CRS), a Kosovar refugee at the Stenkovec I camp disappeared from the camp in June. CRS camp administrators believe that the refugee had served as a policeman in Kosovo, and that the Kosovo Liberation Army or other persons from Kosovo were responsible for his disappearance.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such treatment and punishment; however, police occasionally used excessive force during the apprehension of criminal suspects, and they occasionally abused prisoners, especially members of ethnic minorities. In September and October 1998, six individuals suspected of arms smuggling were arrested, and family members complained of cruel treatment of the suspects. The individuals were tried and convicted

early in the year, in a trial that was monitored closely by international observers and reportedly was conducted fairly.

There are credible reports of occasional police violence against Roma, including beatings during arrest and while in detention. Roma rights organizations also complain of police harassment of Roma and accuse the police of reinforcing patterns of societal discrimination by consistently siding with ethnic Macedonian citizens in any disputes involving Roma.

Human rights nongovernmental organizations (NGO's) received reports of police beatings and harassment of Kosovar refugees, particularly those refugees not living in camps. There were reports that refugees were beaten when crossing the border or traveling throughout the country (see Section 2.d.). On May 10, Kosovar Albanian refugees in a camp held a protest in response to an incident in which they believed that police officers beat two refugees without provocation, although international camp administrators on the scene did not confirm the protesters' version of the original incident. On June 25, special police officers entered the Stenkovec I camp and detained three refugees suspected of participating in the disappearance of another camp resident (see Section 1.b.). According to CRS officials, after the three were transported to a police station, they were interrogated and roughed-up before being released.

According to Amnesty International, police officers frequently stopped Kosovar refugees and questioned them in an intimidating manner about their reasons for leaving Kosovo.

Ethnic Albanian Kosovars in the country were involved in a number of anti-Roma incidents, at least one of which required the intervention of the police to help rescue a group of Roma from a mob in a refugee camp (see Section 5). According to press reports, in August eight ethnic Albanians beat two of their Romani neighbors in Radusa, after an incident in which an ethnic Albanian shouted epithets at Romani children. The ethnic Albanians threatened the Roma and told them to move away from the village. The Roma fled but returned 2 weeks later after local police promised to protect the family and to charge their assailants.

On May 19, a small bomb exploded in an ethnic Albanian neighborhood in Skopje, which wounded two persons. The authorities did not announce any suspects in the case.

During the December 5 rerun of the second round of voting in presidential elections, police intervened 23 times to stop skirmishes among voters (see Section 3). According to the Ministry of Interior, at least 9 persons were injured, and authorities filed charges against 14 persons.

Prison conditions meet minimum international standards.

The Government permits prison visits by human rights monitors and the Human Rights Ombudsman. The Government agreed to allow the International Committee of the Red Cross (ICRC) to visit prisons under procedures which the ICRC finds acceptable, but has not yet agreed to commit to those procedures in a binding, written agreement with the ICRC.

d. Arbitrary Arrest, Detention, Or Exile

Arbitrary arrest and detention are problems. The Constitution states that a person must be arraigned in court within 24 hours of arrest. The maximum length of pretrial detention was increased in 1998 from 90 to 180 days by constitutional amendment. The accused is entitled to contact a lawyer at the time of arrest and to have a lawyer present during police and court proceedings. According to human rights observers and criminal defense attorneys, police sometimes violate the 24-hour time period within which a suspect must be arraigned and deny immediate access to an attorney. Although the law requires warrants for arrests, this provision frequently is ignored, and it is not uncommon for a warrant to be issued some time after an arrest.

The Government has not yet ended completely the practice of police compelling citizens to appear at police stations through an "invitation" for "informative talks." Although a law on criminal procedures was passed in 1997 that states that police cannot force citizens to appear for these sessions without presentation of a court order, the practice continued to be applied on occasion. Roma rights organizations accuse the police of arbitrarily arresting and detaining Roma, and there are credible reports of such police actions.

The police initiated a series of raids on businesses in the summer, seized records, and briefly detained some 20 enterprise directors and officers to question them on charges of corruption and failure to pay taxes. Almost all of the individuals who were questioned or whose offices were raided were connected to opposition political parties, and the raids were widely viewed as having been politically motivated. The Government publicly defended itself against media criticism of its actions by releasing information on the alleged crimes under investigation, but by year's end no charges were brought against the subjects of the raids. A similar police raid in December against the director of a company involved in a dispute with the Government resulted in another media outcry and the suspension by the Ministry of Interior of the local chief of police who conducted the operation.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government respects this provision in practice, although the court system is still developing and is sometimes inefficient and slow.

The court system is three tiered and comprises municipal courts, district courts, and a Supreme Court. A Constitutional Court deals with matters of constitutional interpretation.

The Constitutional Court has a mandate to protect the human rights of citizens but has not taken action in any case in this area. In addition the Constitution provides for a public attorney to protect the constitutional and legal rights of citizens when violated by bodies of state administration and other agencies with public mandates. The Office of the People's Ombudsman was created and became functional in 1997 (see Section 4).

Trials are presided over by judges appointed by the Republican Judicial Council (an independent agency) and confirmed by Parliament. The judges are assisted by two members of the community who serve essentially as consulting jurors, although the judge has the final word. Court hearings and the rendering of verdicts are open to the public

except in some cases, such as those involving minors and those in which the personal safety of the defendant is concerned. Trials cannot be televised, pursuant to the Criminal Procedure Code, although the court can in certain cases authorize the presence of television and film cameras.

Four ethnic Albanian municipal officers who were jailed for crimes related to events in Gostivar and Tetovo in 1997 considered themselves political prisoners. However, all four were freed early in the year as part of a wider grant of amnesty by the new Government. Most international observers believe that the amnesty was aimed specifically at release of the four officials. The group, which included the mayors of Tetovo and Gostivar, had been jailed for failure to obey a Constitutional Court order to remove Albanian flags from municipal buildings; rioting had followed their arrests.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices, and government authorities generally respect these prohibitions.

Section 2 -- Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects these rights in practice.

Several daily newspapers are published in Skopje, as well as numerous weekly or periodical political and other publications. Most towns and municipalities have local newspapers. Government-subsidized newspapers in the Albanian and Turkish languages are published and distributed nationally by the leading news publishing house. The Government subsidizes some other newspapers and magazines. The process of granting media subsidies is not transparent, leading to charges of political bias in government support for the independent media. Several privately owned publications have a wide distribution throughout the country, and some are considered to be oriented toward opposition political parties. The media that remain partially state-owned are government oriented but report opposition press conferences and statements and in general provide coverage of the major opposition parties. The leading newspaper publisher is still partially government owned and controls one of only two modern, high-speed printing facilities in the country, as well as many newspaper kiosks. Following the parliamentary elections in late 1998, influence over this publisher passed to the new Government. International monitors noted that the media provided generally unbiased coverage of the full spectrum of political debate. However, several media outlets were criticized for their clear bias in favor of one political party.

Distributors of foreign newspapers and magazines must obtain the permission of the Ministry of Interior. All such requests during the year were approved. Foreign newspapers, including those from neighboring countries, are available throughout the country.

A 1998 case involving an assault on a journalist, the editor of a large circulation opposition-oriented weekly magazine, remains unsolved.

State-run Macedonian radio and television is in countrywide competition with two private television stations and one private radio station that are licensed to broadcast nationally. The state broadcast media also face the competition of dozens of small independent local radio and television stations throughout the country. The Broadcast Council issues licenses to broadcasters, in a process that international observers consider generally meets international norms. License fees collected from private broadcasters are supposed to help subsidize the state-run system, but collections are inconsistent.

Individuals and opposition political groups may criticize the Government publicly without reprisal. However, in January state radio commentator Gorica Popova was demoted after she expressed her personal view in a radio broadcast about several foreign guests whom the Government invited to the country in order to honor a controversial interwar hero. The media do not appear to practice self-censorship due to fear of government reprisal. The Government does not censor books and other publications, nor does it censor films.

The Government respects academic freedom. Because higher education is not available in the Albanian language (except for teacher training), some ethnic Albanians claim that they do not have complete academic freedom. They want to see the currently unauthorized Albanian-language Tetovo University gain legal status so that they can study in their mother tongue at the university level (see Section 5).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respects this right in practice. Advance notification of large meetings is optional; political and protest rallies occur regularly without major incident. Religious gatherings, if they occur outside of specific religious facilities, must be approved in advance by the Ministry of Interior and can only be convened by registered religious groups (see also Section 2.c.).

Three ethnic Albanian rally organizers arrested in 1998 for inciting racial and ethnic hatred were released soon after their arrest, and no further legal action was taken against them.

The Constitution provides for freedom of association, and the Government generally respects this right in practice. Political parties and organizations are required to register with a court. More than 40 political parties are registered, including ethnically based parties of Albanians, Turks, Serbs, and Roma.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The 1997 Law on Religious Communities and Groups limits some aspects of religious practice; however, the law does not appear to be enforced consistently. While only the Macedonian Orthodox Church is mentioned by name in the Constitution, it does not enjoy official status.

The 1997 Law on Religious Communities and Groups designates the Macedonian Orthodox Church, the Islamic community, and the Roman Catholic Church as "religious communities," while all other religions are designated "religious groups." However, despite the difference in designation, there is no legal difference between the two

categories.

The law places some limitations on religious practices. For example, only a citizen may found a religious group. The law also stipulates that anyone carrying out religious work be registered with the Government's Commission on Religious Communities and Groups.

The Government requires that religious groups be registered. The 1997 Law on Religious Communities and Religious Groups contained a number of specific requirements for the registration of religious groups that were struck down by the Constitutional Court during the year. Consequently, there was considerable confusion over which procedures still applied, and several foreign religious bodies experienced delays in their efforts to register. During the year, the Government acted to make the remaining requirements more transparent, but the process remained slow and cumbersome. At least one international Protestant church was granted legal registration, and several others are at some stage of the process. One Islamic group withdrew its 1998 application for registration but continues to operate openly without taking further steps toward legal registration. The Government has not taken any enforcement actions against the group. In 1998 the Government rejected the application for registration of another Islamic group headquartered in another country. An Islamic Roma group applied for registration in 1998, and the Government rejected its application on technical grounds. The group resubmitted its application, and the Government granted the group legal registration. The total number of registered religious groups and communities is 19.

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The refusal of the Serbian Orthodox Church to recognize the self-proclaimed Macedonian Orthodox Church has led to difficulties for ethnic Serbs who wish to worship in their own church. On several occasions in 1998 the Government refused Serbian Orthodox priests permission to enter the country because of the recognition issue. Due in part to the intervening Kosovo crisis, no Serbian Orthodox priests attempted to enter Macedonia for religious purposes during the year. In December a delegation from the Macedonian Orthodox Church traveled to Istanbul to consult with Orthodox leaders on ways to end the impasse with the Serbian Orthodox Church.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Citizens are permitted free movement within the country as well as the right to leave and return. These rights may be restricted for security, public health, and safety reasons, but are respected fully in practice.

Citizenship in the old Yugoslav system was national, but all records and processing were at the level of the individual republics, so some residents at the time of independence had Yugoslav citizenship that became citizenship in other newly independent former republics. For about the first year of independence, beginning with the adoption of the Constitution in November 1991, any Yugoslav citizen who had legal residence (of any duration) in the republic could acquire citizenship by simple application. The Law on Citizenship adopted in November 1992 established new procedures for conferring

citizenship, and under its transitional provisions citizenship was granted essentially automatically to any legal resident who applied before November 1993. Despite this 2-year window of opportunity for residents to become citizens by simple application, several thousand residents did not regularize their status before November 1993. Some of these persons, and others who arrived in the country later, have complained that the provisions of the Law on Citizenship that followed the transition period are too restrictive and have prevented them from obtaining citizenship. For example, after the transition period the law required applicants for naturalization to have 15 years of residency. The law also affects many Roma who wish to become citizens, particularly with regard to difficulties they encountered in establishing residence and meeting requirements of a regular income. During the year, the 15-year residence requirement was lowered to 10 years, in conformity with the Council of Europe Convention on Citizenship; the new residency requirements are to become effective within about 1 year, following the passage of enabling legislation. New procedures instituted in 1998 have made the citizenship application process considerably more transparent; the Macedonian Helsinki Committee has full access to all files, and the office within the Ministry of Interior that processes the cases works closely with the U.N. High Commissioner for Refugees (UNHCR) and with the Organization for Security and Cooperation in Europe mission in Skopje.

Ethnic Albanians constitute a disproportionately high number of emigrants, due to stronger familial ties outside the country and longstanding economic relationships in other countries.

The Kosovo crisis created an enormous refugee movement into the country between late March and mid-summer and severely strained the country's ability to provide asylum. Prior to the start of the NATO air campaign, approximately 15,000 Kosovar refugees had been allowed to enter the country quietly as "tourists" and reside in local communities. This pretense that there were no refugees in the country was undermined by the arrival of an additional 335,000 or more ethnic Albanian Kosovars in the weeks following the start of the air campaign. This total represented about one-sixth of the country's own population and quickly overwhelmed the Government's ability to deal effectively with immigration controls, border security, or humanitarian support. The refugees also created strong political strains between the country's ethnic Macedonian majority and its ethnic Albanian minority. Ethnic Albanian Macedonians were motivated strongly to provide immediate asylum to all ethnic Albanians fleeing Kosovo. However, as long as the outcome of the crisis remained in doubt, many ethnic Macedonians feared that the refugees might be stranded outside of Kosovo--significantly and perhaps permanently altering the country's ethnic balance. Despite these apprehensions and domestic political tensions, the Government generally responded well to the refugee crisis, and met its international obligations regarding the provision of asylum. Occasionally the accumulated political and resource pressures on the Government resulted in severe restrictions on the reception of new waves of arriving refugees. Reports that authorities forced some Kosovar Albanians back into Kosovo could not be confirmed. The Government on several occasions closed the border crossing points for hours at a time and often did not staff crossing points with sufficient personnel to keep new arrivals moving quickly to safety. At times the Government slowed down the processing of refugees and refused to admit ethnic Albanians who lacked passports. In one incident, border police turned back a train carrying dozens of refugees because they reportedly lacked "proper documentation." International relief officials publicly said that the Government's actions endangered lives by processing refugees too slowly. The worst episode was at the beginning of the crisis,

when the initial wave of refugees arrived at the Blace border crossing point in late March; tens of thousands of refugees piled up at the border in an unhealthy, filthy, and severely overcrowded area, while the Government and the international community rushed to build camps to absorb them. Media and NGO reports of deaths among refugees at Blace vary widely. Medicins sans Frontieres, the one international medical aid organization that was allowed continuous presence among the Blace refugees from the beginning of the crisis, confirmed three deaths and heard credible but unverified accounts of up to another eight deaths. In its efforts to clear the Blace border crossing point at the end of the first week of April, the Government arranged with the Government of Albania for the transfer of approximately 15,000 refugees by bus to Albania. However, the transfer was not coordinated with the UNHCR and created much controversy because of international observers' doubts that it had been voluntary in all cases. In early April, almost 2,000 refugees were bussed out of Blace to the Skopje airport and flown to camps in Turkey in a humanitarian airlift that the Government did not coordinate with the UNHCR. The Government generally worked closely with the UNHCR, NATO, other governments, and with NGO's to establish and operate camps to shelter and support the refugees properly. However, at first the UNHCR and international NGO's were denied access to refugees at the border crossing area (see Section 4). Once camps were established, there were several incidents of friction between refugees and the Macedonian police.

Most refugees returned to Kosovo following the cessation of fighting. Approximately 8,000 remained in the country at year's end, and the Government believes that there may be about an equal number of unregistered refugees. The last refugee camp closed at the end of the year, and all registered refugees were living either with host families or in collective centers. The Government is working with the UNHCR and other organizations to resolve and resettle these remaining refugee cases. Government officials admitted some 2,000 new Romani refugees fleeing Kosovo in August and September. However, in late September officials denied entry to some 300 Roma at the border. By the end of September, the Government reversed its decision and admitted another 461 Roma. Romani refugees staying in camps protested camp conditions several times in August and September and refused to cooperate with Albanian-language interpreters.

Section 3 -- Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The country's third parliamentary elections were held in October and November 1998 and resulted in an opposition victory and a peaceful change of government. The unicameral Parliament governs the country. The Prime Minister, as head of government, is selected by the party or coalition that can produce a majority in the Parliament. He and the other ministers may not be Members of Parliament. The Prime Minister is formally appointed by the President, who is head of state, Chairman of the Security Council, and commander in chief of the armed forces.

The Government was accused by opposition leaders and the media of harassing members of the opposition prior to the October presidential elections. In the summer, police initiated a series of raids on businesses and charged some 20 enterprise directors with corruption and failure to pay taxes. Almost all of the enterprise directors singled out for this treatment belong to an opposition party (see Section 1.d.).

On October 31, the first round of balloting in the presidential election was held. There were six candidates on the ballot, who represented every major political party, including both ethnic Albanian parties. International observers reported that the conduct of the first round was satisfactory, and the candidates who received the most votes advanced to the second round. The ruling VMRO (Internal Macedonian Revolutionary Organization) candidate Trajkovski gained the majority of the votes cast in round two on November 14, but the opposition SDSM (Social Democratic Alliance of Macedonia) candidate claimed fraud and appealed the results. International observers agreed that irregularities occurred in some areas, and the Supreme Court ruled that round two should be rerun in 230 polling precincts, all of which are predominantly ethnic Albanian. The voting held on December 5 was as flawed as the previous round, according to international monitors, who reported numerous incidents of ballot stuffing and other problems in some polling stations. Trajkovski again gained the majority of votes cast, and the SDSM filed a list of complaints of irregularities. Claiming that the Government was incapable of conducting a fair vote in the contested precincts, the SDSM later withdrew those complaints and did not press for another repeat of the voting. President Trajkovski was sworn into office on December 15.

Although no formal restrictions exist on the participation of women in politics and government, they are severely underrepresented in these areas. The Government has two female ministers and two female vice presidents with the rank of minister. In the Parliament, 9 of 120 members are women, an increase from only 4 women in the previous Parliament. In Muslim communities, especially among more traditional ethnic Albanians, some women are in effect not enfranchised, due to the practice of family/proxy voting, through which men vote on behalf of the women in their families (see Section 5).

A number of political parties represent the interests of minorities, including ethnic Albanians, ethnic Turks, ethnic Serbs, and Roma. Two ethnic Albanian parties and the Roma party have members in the Parliament; the ruling government coalition includes one of the two major ethnic Albanian parties, as well as the Romani party. The Parliament includes 25 ethnic Albanian members, 1 Macedonian Muslim, 1 Rom, and an indeterminate, small number of Vlachs. Minorities nonetheless maintain that political structures continue to be biased against them. Partly to address these concerns, the electoral law includes elements of proportional representation. A total of 35 of the 120 parliamentary members are chosen on the basis of proportionality, while the other 85 members are elected in single-member districts. Some ethnic Albanians and Roma complain that discrimination against them in citizenship decisions effectively disenfranchises them (also see Section 2.d.).

Section 4 -- Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government generally is responsive to the concerns of human rights groups. Human rights groups and ethnic community representatives meet freely with foreign representatives without government interference. Several independent forums for human rights exist and operate freely, but their activities have not been prominent. In 1998 and 1999 one such forum, with the support of the human rights ombudsman, widely distributed an information card for citizens on basic human rights; another group provided similar cards to all police officers, outlining citizens' rights.

The office of the ombudsman, established in 1997, has yet to be called upon by the citizenry in any significant way. Most complaints filed with the office do not relate to human rights issues.

The Government allows independent missions by foreign observers. The Kosovo crisis led many international NGO's to establish new offices in the country, staffed by scores of international workers; many of these organizations have a strong interest in human rights issues. The Government has been generally cooperative in its dealings with these and other international organizations concerning such issues. However, when the country first was flooded with Kosovar refugees in late March and early April, the Government initially insisted that all aid be distributed by local NGO's, particularly the Macedonian Red Cross, which lacked sufficient resources to perform the task adequately. For days the UNHCR and most nonmedical international NGO's were denied full access to refugees at the border crossing; this needlessly complicated the provision of assistance and resulted in additional delays in providing food, water, and shelter. Also, the UNHCR was denied access to the Radusa camp until April 10 (see Section 2.d.).

Section 5 -- Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens regardless of their sex, race, color of skin, national or social origin, political or religious beliefs, property, or social status. However, societal discrimination against ethnic minorities and the protection of women's rights remain problems.

Women

Violence against women, especially in the family setting, is common. Criminal procedures are available to victims of rape, including limited legal recourse in the case of marital rape. Cultural norms discourage the reporting of such violence, and criminal charges on grounds of domestic violence are very rare. Public concern about violence against women is not evident in the media, although some women's groups are working to raise awareness of the issue. Shelters for victims of spousal abuse are operated by NGO's. A hot line remains open but has limited hours.

Trafficking in women and girls for prostitution and pornography is a problem (see Section 6.f.). Traffickers have recruited women from other countries, especially Bulgaria, Russia, and Ukraine, to work as prostitutes in several towns.

Sexual harassment of women in the workplace is a problem, but no statistics are available to indicate its scope. Maternity benefits are good, with 9-months' paid maternity leave. Women also retain the right to return to their jobs for 2 years after giving birth.

The Constitution provides that women possess the same legal rights as men. Macedonian society, in both the Muslim and Christian communities, is strongly patriarchal, and the advancement of women into nontraditional roles is limited. Women are underrepresented severely in the higher levels of the private sector, although some professional women are prominent. Women from some parts of the ethnic Albanian community do not have equal opportunities for employment and education, primarily due to traditional and religious constraints on their full participation in society. In Muslim communities, especially

among more traditional ethnic Albanians, some women are in effect not enfranchised, due to the practice of family/proxy voting, through which men vote on behalf of the women in their families (see Section 3).

Women's advocacy groups include the Humanitarian Association for the Emancipation, Solidarity, and Equality of Women; the Union of Associations of Macedonian Women; and the League of Albanian Women.

Children

The Government is committed to the rights and welfare of children but in some areas is limited by resource constraints. Education is compulsory through the eighth grade, or to the age of 15 or 16. At both the primary and secondary levels, girls in some ethnic Albanian communities are underrepresented in schools. The Government encourages ethnic minority students, especially girls, to enroll in secondary schools. Medical care for children is adequate but is hampered by the generally difficult economic circumstances of the country and by the weak national medical system.

There is no societal pattern of abuse against children.

People With Disabilities

Social programs to meet the needs of the disabled exist to the extent that government resources allow. Discrimination on the basis of disability is forbidden by law. No laws or regulations mandate accessibility for disabled persons.

National/Racial/Ethnic Minorities

The population of 2.2 million is composed of a variety of national and ethnic groups, mainly Macedonians, Albanians, Turks, Roma, Serbs, and Vlachs. All citizens are equal under the law. The Constitution provides for the protection of the ethnic, cultural, linguistic, and religious identity of minorities, including state support for education in minority languages through secondary school and the official use of ethnic minority languages in areas where ethnic minorities make up a majority of the population.

Ethnic tensions and prejudices are present in society. The Government is committed to a policy of peaceful integration of all ethnic groups into society but faces political resistance and continued popular prejudices regarding the means to achieve this goal (hiring quotas, affirmative action in school admissions, education in minority languages, etc.).

Representatives of the ethnic Albanian community, by far the largest minority group with 23 percent of the population according to government statistics, are the most vocal in charging discrimination. The underrepresentation of ethnic Albanians in the military and police is a major grievance in the community. Despite government efforts to recruit more ethnic Albanians, the police force remains overwhelmingly Slavic Macedonian, even in areas where the ethnic Albanian population is large. Members of ethnic minorities constitute 8.7 percent of the law enforcement officers of the Ministry of the Interior; in the primarily ethnic Albanian cities of Tetovo and Gostivar the respective figures are 17 percent and 12 percent. To raise the percentage of ethnic minority police officers, the Government for several years has set a recruiting quota of 22 percent for enrolling

minority students at the police secondary school. Attrition has kept the graduating classes from retaining that percentage of ethnic minorities.

The military continues efforts to recruit and retain minority officers and cadets. The military is composed mostly of short-service conscripts, drawn from all ethnic groups. The proportion of ethnic Albanians in the ranks is estimated to be about 25 percent, but the proportion is significantly lower in the officer corps. Of junior officers, about 9 percent are from ethnic minorities, while about 15 percent of cadets at the military academy are from ethnic minorities. Ethnic Albanians constitute about 8 percent of Ministry of Defense civilian employees. The Deputy Minister of Defense and one of a total of eight general officers are ethnic Albanians.

The Constitution provides for primary and secondary education in the languages of the ethnic minorities. Primary education is available in Macedonian, Albanian, Turkish, and Serbian. Albanian-language education is a crucial issue for the ethnic Albanian community; it is seen as vital for preserving Albanian heritage and culture. Almost all ethnic Albanian children receive 8 years of education in Albanian-language schools. The number of ethnic minority students who receive secondary education in their mother tongues is increasing, and was about 15 percent during the year, up from 14 percent the previous school year. Still, only about half of ethnic minority students go on to high school, partly because of the lack of available classes in minority languages at the secondary level and partly because the traditional nature of parts of Albanian society leads many families in rural areas to see no need to educate their children, particularly girls, beyond the eighth grade.

At the university level, ethnic minorities are underrepresented, but there has been much progress in increasing the number of ethnic minority applicants and students since independence in 1991. There are eased admission requirements for minorities at the universities in Skopje and Bitola for up to 23 percent of entering places, although the quota has not always been filled. In 1991 there were 302 ethnic minority students attending university; in 1998 there were 1,073. The latter figure represents about 16 percent of all university students. Most university education is conducted in the Macedonian language; there is Albanian-language university education only for students at Skopje University's teacher training faculty, for students studying to be teachers at Albanian-language primary and secondary schools. An obstacle to increasing university attendance of ethnic Albanians and Roma, especially for girls, is their low but slowly increasing enrollment in secondary education.

Demands for the legalization of an unofficial Albanian-language university in Tetovo continue. In 1995 the issue led to a violent clash between demonstrators and police, during which 1 ethnic Albanian demonstrator was killed and about 30 persons were injured. Since then the Government tacitly has allowed the university--which it considers to be illegal--to function without giving it any official recognition. In the 1998 parliamentary elections the issue of Albanian-language university education was debated constructively, but the question has not retained a high profile recently, due in part to the Kosovo crisis. At year's end, the Prime Minister announced that the Government had approved a plan to be implemented in 2000 to extend further the use of the Albanian language in higher education.

The new Government met one major demand of the ethnic Albanian community by

agreeing to change the 15 year residence requirement for naturalization to 10 years (see Section 2.d.). Enabling legislation is being processed to complete that change. The new Government has continued previous governments' positions that reject demands for legalizing use of the Albanian language in dealings with the central Government and in the Parliament and for allowing official use of the Albanian flag.

Ethnic Turks, who make up about 4 percent of the population, also complain of governmental, societal, and cultural discrimination. Their main complaints center on Turkish-language education and media. One continuing dispute has been over the desire of parents who consider themselves Turkish to educate their children in Turkish despite the fact that they do not speak Turkish at home. The Education Ministry refuses to provide Turkish-language education for them, noting that the Constitution provides for education in the mother tongues of minorities, not in foreign languages. Some parents have hired teachers of their own, although this kind of private education is not authorized legally.

Ethnic Serbs, who constitute about 2 percent of the population, also complain about discrimination and their inability to worship freely in the Serbian Orthodox Church.

The normally quiet relations between Roma and other citizens were strained during the year as a result of dislocations of Roma caused by the Kosovo crisis. According to the 1994 census, there were 43,700 Roma in the country (2.2 percent of the population). Romani leaders claim that the 1994 census seriously undercounted the actual number of Roma. There were incidents of police and societal violence against Roma (see Section 1.c.). Ethnic Albanian Kosovars in the country were involved in a number of anti-Roma incidents, at least one of which in June required the intervention of the police to help rescue a group of Roma from a mob in a refugee camp. About 6,000 Roma fled Kosovo and took up residence in the country. They left not only because of the direct dangers of the conflict, but also because of the hostility of ethnic Albanian Kosovars, who widely consider the Roma to have supported the Serbs and to have committed theft and other crimes against ethnic Albanians during the crisis. The new Roma arrivals initially were sheltered in a refugee camp (about 2,000 persons) and under host family arrangements (about 4,000) that were underwritten by the international relief community. By year's end, all of the Romani refugees were staying with host families or in collective centers. The presence of these Romani refugees is not popular among ethnic Albanians, who largely share the view of the ethnic Albanian Kosovars concerning both Roma and Serbs. Ethnic Macedonians also express irritation at the new arrivals, many of whom settled in Skopje, and some of whom established themselves at busy traffic intersections to beg, wash car windows, or sell small items. The Macedonian Roma already tended to occupy the lowest economic rung of society, and the new arrivals added to the ranks of the very poor. Optional Romani-language education has been offered at several primary schools since 1996, but there has been limited demand and no pressure for a more extensive curriculum. According to Romani community leaders, up to 10 percent of Romani children never enroll in school, and of those who do, 50 percent drop out by the fifth grade, and only 35 to 40 percent finish the eighth grade. There is some Romani-language broadcasting.

In July the Government repealed a law that banned Bulgarian language books. The law had been used in previous years also to ban some books from Albania.

There are also a number of ethnic Macedonian Muslims and Bosnian Muslims in the

country. Some ethnic Macedonian Muslims contend that they are identified too closely with ethnic Albanians, most of whom are also Muslim, and with whose policies the ethnic Macedonian Muslims often disagree.

Section 6 -- Worker Rights

a. The Right of Association

The Constitution provides for the right to form trade unions, but this right is restricted for members of the military, police, and civil service. Independent trade unions have been allowed to organize since 1992, when an Association of Independent and Autonomous Unions was formed. However, there is still a national trade union. The Confederation of Trade Unions of Macedonia is the successor organization to the old Communist labor confederation. It maintains the assets of the old unions and is the Government's main negotiating partner, along with the Chamber of the Economy, on labor issues. While its officers may tend to oppose strikes because of the legacy of the past, they appear to be genuinely independent of the Government and committed to the interests of the workers they represent.

The total number of strikes during the year was approximately 150, which included many protest work stoppages of a few hours or less. The reasons for the strikes included demands for overdue pay, workers' objections to government changes in management personnel at some state-owned entities, and objection to various decisions related to privatization. Strikes were generally small and confined to company grounds, although in September striking workers at a government-owned smelting plant blocked a major highway for several hours, protesting government plans to close the plant if a private purchaser or partner could not be found. Most strikes were calm and well organized and passed without serious incident.

b. The Right to Organize and Bargain Collectively

The Constitution implicitly recognizes employees' right to bargain collectively, a concept that nonetheless is still in its infancy. Legislation in this area has yet to be passed by Parliament.

An export processing zone is being developed with the advice and financial support of Taiwan. No date has been set for the beginning of operations.

c. Prohibition of Forced or Compulsory Labor

Legal prohibitions against forced labor, including that performed by children, are observed in practice.

d. Status of Child Labor Practices and Minimum Age for Employment

The constitutional minimum age for employment is 15 years. Children legally may not work nights or more than 40 hours per week. Education is compulsory through grade eight, or to the ages of 14 or 15. The Ministry of Labor and Social Welfare is responsible for enforcing laws regulating the employment of children. The law prohibits forced or bonded labor by children, and the Government enforces this prohibition effectively (see

Section 6.c.).

e. Acceptable Conditions of Work

The average monthly wage in June was about \$164 (9,532 denars). The minimum wage is by law two-thirds of the average wage; however, it was not sufficient to provide a decent standard of living for a worker and family. By comparison an average month's worth of food for a family of four in 1998 cost \$184 (9,566 denars). This economic situation meant that few workers could support a family on their wages alone. Many households are dual-income, and many persons take on additional work, often in the gray market.

Yugoslavia had extensive laws concerning acceptable conditions of work, including an official 42-hour workweek with a minimum 24-hour rest period and generous vacation and sick leave benefits. The Government adopted many of these provisions, including the workweek and rest period. However, high unemployment and the fragile condition of the economy led many employees to accept work conditions that do not comply with the law. Small retail businesses in particular often require employees to work far beyond the legal limits.

The Constitution provides for safe working conditions, temporary disability compensation, and leave benefits. Although laws and regulations on worker safety remain from the Yugoslav era, they are not enforced strictly. The Ministry of Labor and Social Welfare is responsible for enforcing regulations pertaining to working conditions.

Under the law, if workers have safety concerns, employers are obliged to address dangerous situations. Should an employer fail to do so, employees are entitled legally to leave the dangerous situation without losing their jobs.

f. Trafficking in Persons

Trafficking for the purpose of prostitution is prohibited specifically by law. However, trafficking in women and girls for prostitution and pornography is a problem. The country is a source, transit, and destination point for trafficking in persons. Trafficking in persons for the purpose of illegal immigration is not prohibited specifically by law but is covered by immigration regulations. Traffickers have recruited women from other countries, especially Bulgaria, Russia, and Ukraine, to work as prostitutes in several towns. Women are trafficked through the country on their way to West European countries, especially Italy. There are no reliable estimates of the number of victims of trafficking in the country.

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