

DOTCOM: The Disability Online Tool of the Commission

Republic of North Macedonia

A. UN Convention status

A1. Ratification or conclusion of the UN Convention

Macedonia signed the CRPD on 30 March 2007. The Convention together with the Optional Protocol to the Convention was ratified on 5 December 2011.

The Committee considered the initial report of the former Yugoslav Republic of Macedonia adopted the concluding observations at its 426th meeting, held on 18 September 2018.

Links

Law on the Ratification of the CRPD and the Optional Protocol (Official Gazette of the Republic of Macedonia, number 172/2011 as of 14 December 2011)

<http://www.slvesnik.com.mk/Issues/ED1FF6FC1C8A1F4A8F36F48EFDE95E55.pdf>

The UN Convention on the rights of persons with disabilities (translated in MK language)

<http://www.mtsp.gov.mk/WBStorage/Files/Konvencija%20za%20pravata%20na%20licata%20so%20invalidnost.pdf>

Concluding observation by the Committee on the Rights of Persons with Disabilities

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/MKD/CO/1&Lang=En

A2. Ratification or accession to the Optional Protocol

Macedonia signed the Optional Protocol on 29 August 2009. The Optional Protocol was ratified on 05 December 2011.

Links

The Law for the ratification of the CRPD and the Optional Protocol (Official Gazette of the Republic of Macedonia 172/11, as of 14 December 2011)

<http://www.slvesnik.com.mk/Issues/ED1FF6FC1C8A1F4A8F36F48EFDE95E55.pdf>

A3. Declarations, Reservations and Objections

Macedonia made no reservations or declarations on signing and ratification of the CRPD and its Optional Protocol.

Links

UNCRPD declarations and reservations

<http://www.un.org/disabilities/default.asp?id=475>

A4. Comprehensive review

Macedonia does not have an official baseline report or comprehensive review of disability policy, although disability as an issue has been included in other documents and initiatives. In 2007 a National report about the disability was prepared. In 2010 the Ministry for Social

and Labour Policy (MLSP) revised the National strategy for equalization of opportunities for people with disabilities. Disability issue became one of the topics of the National strategy for social exclusion.

Links

National strategy for equalization of opportunities for people with disabilities

<http://www.mtsp.gov.mk/WBStorage/Files/FINALNA%20Revidirana%20Nacionalna%20Strategija.pdf>

National strategy for social exclusion

http://www.un.org.mk/files/pdfs/about/SocialExclusion_Strategy_MK_final.pdf

A5. Focal point

According to the enacted Government Decision, the Chairperson of the National Coordination body for the CRPD implementation is acting as a focal point.

Links

Government Decision for establishing the National Coordination Body for CRPD implementation

<https://vlada.mk/KoordinativnoTelo/PravaNaLicaSoPoprechenost>

A6. Coordination mechanism

In 2018, the country dismissed the two existing bodies for coordination and implementation of the CRPD. In 2018 the Government established a new body – the National Coordination Mechanism for the implementation of the UNCRPD. According to the Government Decision, the National Coordination Mechanism is composed of a total of 15 members. It consists of two representatives from the Office of the Prime Minister of the Government of the R.N Macedonia, 11 representatives from the key ministries (the Ministry of Education and Science, the Ministry of Labour and Social Policy, the Ministry of Health, the Ministry of Finance, the Ministry of Transport and Communications, the Ministry Justice, the Ministry of Agriculture, Forestry and Water Economy, the Ministry of Culture, the Ministry of Information Society and Administration, the Ministry of Environment and one representative from the National Council of Disability Organisations of the R.N Macedonia) and one representative from the organisations of parents of children with disabilities (Resource Centre for Parents of Children with Special Needs).

Links

The National Coordination Body for the Implementation of the UN CRPD in the Republic of Macedonia

<http://www.slvesnik.com.mk/Issues/666436997EDCEB4291ED3025F99408AA.pdf>

Decision on the Establishment of the National Coordination Body for Equal Rights of Persons with Disabilities (Official Gazette no. 28 /10)

<http://www.slvesnik.com.mk/Issues/C455B3835E2E4AFCB91F8F061211E752.pdf>

The Government Decision

<https://vlada.mk/KoordinativnoTelo/PravaNaLicaSoPoprechenost>

A7. Independent mechanism

Macedonia has not yet established an independent monitoring mechanism for the CRPD.

A8. Official reporting

In 2014 the Macedonian Government submitted the report to the Committee on the Rights of Persons with Disabilities about the steps taken to implement the provisions of the Convention.

Links

Macedonian Government report for the CRPD implementation 2014

https://www.mindbank.info/download_file/6575/aa978e825603459315a1040b21963189f3efec1d

State reports to the UN Committee

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=173&DocTypeID=29

Link to all UN reporting cycle documentation

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=173

A9. Shadow reporting

In 2018, a coalition of OPDs and CSOs submitted a Summary Report on the State Responses to the Questions Related to the Initial Report of the Republic of Macedonia on the Implementation of the Convention on the Rights of Persons with Disabilities. This summary was submitted to the 20th Session of the UN Committee on the Rights of Persons with Disabilities.

Links

The DPOs base line report on disability in 2011

http://polioplus.org.mk/dokumenti/Hendikep_MK.pdf

The Holistic Report on Persons With Disabilities in the Republic of Macedonia

http://www.openthewindows.org/sites/default/files/0_holisticki_izvestaj_za_licata_so_poprecenost_vo_makedonija-en.pdf

The FYR Macedonia Mid-term Implementation Assessment: A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

https://www.upr-info.org/followup/assessments/session18/macedonia_FYR/MIA-Macedonia_FYR.pdf

Civil society reports to the UN Committee

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=173&DocTypeID=14

Summary Report of the State Responses to the Questions Related to the Initial Report of the Republic of Macedonia on the Implementation of the Convention on the Rights of Persons with Disabilities

https://tbinternet.ohchr.org/Treaties/CRPD/Shared%20Documents/MKD/INT_CRPD_CSS_MKD_31979_E.doc

B. General legal framework

B1. Anti-discrimination legislation

The Constitution of the Republic of Macedonia in Article 9 foresees a general clause on equality that does not explicitly mention disability as a ground of discrimination. However, in accordance with Article 8 of the Constitution and the ratification of the CRPD, as well as the case law of the European Human Rights Court, and the principle *pacta sunt servanda*, this clause is applicable to persons with disabilities, as well. Citizens, according to Article 110 paragraph 3 of the Constitution, are entitled to submit a request for protection of human rights and liberties, which *inter alia* refers to the ban of discrimination. The Constitution of the Republic of Macedonia in Article 9 foresees a general clause on equality that does not explicitly mention disability as a ground of discrimination.

National legislation began explicitly banning discrimination in general, including discrimination on the grounds of disability, with the enactment of several laws, in particular in the field of labour relations, and culminated in 2010 with the enactment of the Law on the Prevention of and Protection from Discrimination.

The Law on Labour Relations explicitly forbids discrimination in general, including on the ground of disability, perpetrated by persons and legal entities in both the private and the public sector. In that sense, direct discrimination (Article 7 para 2), indirect discrimination (Article 7 para 3) and harassment (Articles 9 and 9-a) of candidates and workers with disabilities are forbidden.

The Law on the Prevention of and Protection from Discrimination (in Article 3) explicitly mentions mental and physical disability as a ground of discrimination and refers to multiple discrimination in Article 12 that bans all forms of discrimination. Also, there is a specific article that refers to discrimination against persons with disabilities, which stipulates that “discrimination of persons with mental and physical disabilities means deliberate obstruction or deterring of the access to health protection, or denying the right to health protection rights, regular medical treatment and medicaments, rehabilitation assets and measures in accordance with their needs, denying the right to marriage and creation of a family and other rights related to marriage and family relations, denying the right to education, work and rights related to employment”.

In 2018, a Draft Law on the Prevention of and Protection from Discrimination was prepared, but it is still waiting to be enacted. The National Strategy for Equality and Non-Discrimination 2016-2020 defines the objectives, measures, indicators, key policy makers for the promotion of rights and equal opportunities in various fields and addresses discrimination in all areas.

There are two quasi-judicial mechanisms available to citizens in case their rights are violated due to discrimination: the Commission for protection from discrimination and the Ombudsman.

Despite the existing legislation and policies, the 'Barometer for equal opportunities' reports that discrimination is a widely spread phenomenon in the country. The latest survey (The lost agenda) outlines that persons with disabilities and the parents of children with disabilities consider that they are not equal to other citizens (99.5%), do not enjoy equal protection before the law in comparison with other citizens (83%) and that they are discriminated (87%).

Links

The Constitution of the Republic of Macedonia

<https://www.sobranie.mk/the-constitution-of-the-republic-of-macedonia.nspix>

Law on Labor Relations, Official Gazette no. 62/05, 106/08, 161/08, 114/09, 130/09, 50/10, 52/10, 124/10, 47/11, 11/12, 39/12, 13/13, 25/13, 170/13, 187/13, [Consolidated text: 34/14];

Decisions of the Constitutional Court: 21.12.2005; 22.12.2005; 29.03.2006; 10.05.2006 ; 24.01.2007; 04.04.2007; 06.06.2007; 13.05.2009; 13.01.2010; 14.04.2010; 22.09.2010

<https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/71332/109716/F-1464727386/MKD71332%20Eng.pdf>

Law on the Prevention of and Protection from Discrimination

<http://www.kzd.mk/phocadownload/zakon-za-sprecuvanje-i-zastita-od-diskriminacija.pdf>

Barometer for equal opportunities, Macedonian Centre for International Cooperation, Skopje, 2013 (pages 12-29)

<http://www.mcms.mk/mk/za-nasata-rabota/istrazuvana-i-publikacii/istrazuvana/1542-barometar-za-ednakvi-moznosti.html>

The Ombudsman of The Republic of Macedonia

<http://ombudsman.mk/>

The Commission for protection from discrimination

<http://www.kzd.mk/>

Draft Law on the Prevention of and Protection from Discrimination

http://mtsp.gov.mk/content/word/predlog_zakoni_2017/ZSDS_predlog_juni_2018.doc

Demystification of the issue of disability in the field of equality and non-discrimination

<http://polioplus.org.mk/margina/dokumenti/izgubenata-agenda-en.pdf>

B2. Recognition of legal capacity

The Constitution guarantees an equal, universal and direct right to vote through free elections by secret ballot (Article 22). Article 9 states that “Citizens are equal in their freedoms and rights, regardless of sex, race, skin colour, national and social origin, political and religious beliefs, property and social status”. Article 22, paragraph 2 of the Constitution, reads: “Persons deprived of their legal capacities do not have the right to vote”. From the aspect of the principles of CRPD and the Article 29, this provision is restrictive, particularly because deprivation of legal capacity is decided upon in a court proceedings, during which “the court decides on partial or full legal capacities of a person who, due to mental illness, insanity, consumption of alcohol or other nerve poisons, drugs, psychotropic substances and precursors, is not able to take care of himself/herself and to protect his/her rights and interests”, which is regulated in Article 34 of the Law on Non-contentious proceedings. The Centre for Social Work in the procedure for deprivation of a person's legal capacity is appointing a guardian to that person.

Links

Constitution (Official Gazette No. 91/2001)

<http://www.sobranie.mk/content/Odluki%20USTAV/Odluka%20za%20proglasuvanje%20na%20Ustavot%20na%20RM.pdf>

Law on Non-contentious Proceedings (Official Gazette No. 09/2008)

<http://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-vonparnichna-postapka-18-01-2008.pdf>

B3. Accessibility of voting and elections

According to the Election Code "every citizen who has turned 18 years of age and permanently resides in the electoral district, the municipality or the city of Skopje where the election is conducted (Article 6 paragraph 1), has the legal capacity to be registered in the Electoral Register based on the records from the competent authority and the voting application (Article 6, paragraph 2)". The Electoral Code requires that at least 30% of the election management bodies must be women. Disability is not included as a criteria for the quota system in political participation. According to the Electoral Code, a polling station is the place where voting takes place. However, the Electoral Code neither regulates accessibility standards of the voting places nor accessibility standards of the information during the election campaign. Voters who are unable to vote in person at a polling station must notify the Municipal Election Commission at least three days before the election. The State election commission (SEC) allows voters to vote through a proxy or at their home the day before the election. Those voters who are unable to vote by themselves, due to a disability or illiteracy, are allowed to bring someone with them to vote. If they cannot do this, the Election Board can appoint someone to assist them. The Guideline No. 02-337/1, enacted by the SEC, defines 'a sick and helpless person': "a person who is unable to perform basic living tasks (is unable to move in the apartment, or using appropriate aids, to maintain basic personal hygiene, to dress, to cook and to eat, or to perform other activities to satisfy basic living needs), that is, the person is immobile, completely blind, suffering from dystrophy or related muscular or nervous muscular diseases, cerebral or child paralysis or paraplegia" (No. 02-337/1, paragraph 1). In 2017, the SEC issued instructions for using a Braille Pattern for visually impaired persons which is not in line with the Guidelines 111, where under 'a sick and helpless person', it is referring to "a completely blind person" (Guideline No. 02-337/1, item 1). The assessment report prepared by the SEC regarding the accessibility of polling stations for persons with disability concluded that 56% of polling stations had no steps to get to the voting room, while in the others where there were steps, 22% had no more than five steps.

Links

The Electoral Code, State Election Commission, Official Gazette, no. 40/06, 136/08, 148/08, 155/08, 163/08, 44/11, 51/11, 54/11, 142/12, 31/13, 34/13, 14/14, 30/14, 196/15, 35/16, 97/16 и 99/16

<https://drive.google.com/open?id=0B8ZpCwro9h-zM2IkMkZERFo0NXc>

Analysis of the Political Participation of Persons with Disabilities (OBSE, 2017)

<https://www.osce.org/mission-to-skopje/410309?download=true>

B4. Official recognition of sign language

Sign language has been officially recognised in Macedonia since the Law on the Use of Sign Language of 2009. Besides granting an official recognition of the right of people with hearing impairment, this law obliges every Court, administrative and educational institution to provide Sign Language interpretations for deaf people who need them. Additionally, the national broadcasting companies are obliged to provide a certain percentage of broadcast programmes in Sign Language. The Law on Sign Language recognises Sign Language "as a natural way of communication", and gives the right to use Sign Language for people with

hearing impairment. The State will cover the costs for Sign Language interpreter, if the person is appearing as party or participant in proceedings before State public institutions for up to 30 hours a year, which, however, limits the use of the Sign Language in the private sphere. Furthermore, there are only 24 Sign Language interpreters in the country.

Links

Law on the Use of Sign Language

<http://www.mtsp.gov.mk/WBStorage/Files/znakoven%20jazik.doc>

Register of certified interpreters for Sign Language

<http://www.mtsp.gov.mk/content/pdf/SPI%20SOK%20NA%20%20OFICI%20ALNI%20TOLKUVACI.pdf>

The Ombudsman Annual report for 2013

<http://ombudsman.mk/upload/Godisni%20izvestai/GI-2013.pdf>

B5. National disability strategy and action plan

In the beginning of 2019, the National Coordination Body for the implementation of the CRPD prepared an Action Plan. The Plan is not yet available on the Government Site.

Links

National Strategy for equalization of the rights of persons with disabilities (2010 - 2018)

<http://www.mtsp.gov.mk/WBStorage/Files/FINALNA%20Revidirana%20Nacionalna%20Strategija.pdf>

Operational Plan for Implementation of the National Strategy for Equality and non-Discrimination on the Grounds of Ethnicity, Age, Mental and Physical Disability, and Sex (2012-2015), the Ministry of Labour and Social Policy

http://mtsp.gov.mk/WBStorage/Files/strategija_ednakvost.doc

National Coordination Body for the implementation of the UNCRPD

<https://vlada.mk/KoordinativnoTelo/PravaNaLicaSoPoprechenost>

C. Accessibility

C1. Transport accessibility

The transport system in the country is regulated through several laws and by-laws. The Law on Public Transport does not provide for formal and substantive equality. This law, in terms of persons with disabilities, provides only fiscal benefits. Namely, according to Article 33, paragraph 4: "The carriers are obligated to transport free of charge ... blind persons with a visual impairment of over 90%; persons with hearing impairments and persons with physical disability with 100% impairment and their companions, but only those who have certificate and a membership card for being a member of one of seven National Disability Council Unions ...". There are no provisions concerning accessibility standards, which would impose an obligations on the public or private transport companies.

Also within the Law on Internal Navigation and the Aviation Act there are no specific provisions on accessibility standards. In both laws the conditions for transportation of persons with disabilities are left to be regulated by acts of the regulatory body for aviation and internal navigation.

The design of parking places for people with disability is regulated by the Law on Road Traffic

Safety, which stipulates that 3-5% of the total number of parking places should be provided for the vehicles of people with disabilities. The Standards for parking places for people with disabilities are defined in the Rule-book for ensuring free access, movement, dwelling and work of people with disabilities.

The Law on Public Roads has a provision that exempts the vehicles of people with disabilities from paying a toll road. Namely in Article 66 (para 3 on) it is stated that "are exempted from paying a toll road fee the vehicles that belong to persons with complete hearing impairment, persons who have dystrophy, multiple sclerosis, cerebral palsy, paraplegia, quadriplegia, cerebral palsy (poliomyelitis), blind people with a visual impairment over 90%, people on dialysis and people with an amputation of the arm or leg with a recognised bodily injury of 80%, where their impairment is determined by an act of the competent Commission within the Pension and Disability Insurance Fund of Macedonia and who are member of the Unions confirmed by a respective membership card."

Links

Law on Public Transport

https://ener.gov.mk/files/propisi_files/plan/58_%D0%97%D0%B0%D0%BA%D0%BE%D0%BD%20%D0%B7%D0%B0%20%D0%BF%D1%80%D0%B5%D0%B2%D0%BE%D0%B7%20%D0%B2%D0%BE%20%D0%BF%D0%B0%D1%82%D0%BD%D0%B8%D0%BE%D1%82%20%D1%81%D0%BE%D0%BE%D0%B1%D1%80%D0%B0%D1%9C%D0%B0%D1%98-%D0%B8%D0%BD%D1%82%D0%B5%D1%80%D0%B5%D0%BD%20%D0%BF%D1%80%D0%B5%D1%87%D0%B8.pdf

Law on Public Roads

https://ener.gov.mk/files/propisi_files/plan/57_%D0%97%D0%B0%D0%BA%D0%BE%D0%BD%20%D0%B7%D0%B0%20%D1%98%D0%B0%D0%B2%D0%BD%D0%B8%D1%82%D0%B5%20%D0%BF%D0%B0%D1%82%D0%B8%D1%88%D1%82%D0%B0-%D0%B8%D0%BD%D1%82%D0%B5%D1%80%D0%B5%D0%BD%20%D0%BF%D1%80%D0%B5%D1%87%D0%B8%D1%81%D1%82%D0%B5%D0%BD%20%D1%82%D0%B5%D0%BA%D1%81%D1%82.pdf

Law on Internal Navigation

<http://www.mtc.gov.mk/vnatreshna-plovidba/zakon-za-vnatreshnata-plovidba>

Law on Air Transport

<http://www.mtc.gov.mk/vozduhoplovstvo/zakon-za-vozduhoplovstvo>

Law on Road Traffic Safety

<http://mvr.gov.mk/Upload/Documents/%D0%97%D0%B1%D1%81%D0%BF%20-%D0%BF%D1%80%D0%B5%D1%87%D0%B8%D1%81%D1%82%D0%B5%D0%BD%20%D1%82%D0%B5%D0%BA%D1%81%D1%82.pdf>

C2. Built environment accessibility

Accessibility for the people with disability is provided by several legal regulations. The Construction Law (Article 11) obliges all public and residential buildings to be accessible for people with disabilities. Every condominium with more than 10 apartments must have one apartment completely accessible for people with disabilities. Article 34 of the Law provides that access to and into the building is not considered as construction (effectively, decreased administrative procedures and technical requirements). The same requirements apply to

historical and cultural heritage buildings. The Law on urban planning has two by-laws that closely define the standards and measures of accessibility for people with disability. Some segments of accessibility and availability for people with disability are regulated by the Law on housing and Law on local self-government.

Links

Construction Law

http://www.mtc.gov.mk/new_site/images/storija_doc/115/03-05-2011/12.pdf

Law on urban planning

<http://www.moepp.gov.mk/WBStorage/Files/zakonprostorno.pdf>

Law on housing

http://www.mtc.gov.mk/new_site/images/storija_doc/115/ZAKON_ZA_DOMUVAWE.pdf

Law on local self-government

http://www.igu.gov.mk/files/pdf/lokalna_samouprava/zakoni/zakon_za_lokalnata_samouprava.pdf

C3. ICT and Web accessibility

In 2011, the Government of Macedonia adopted the National Strategy for e-inclusion with a main priority for 'improvement of the internet availability for people with disabilities'. This includes a project initiative in 2012 to begin drafting a system of speech synthesis for blind users in the Macedonian language, in co-operation between the Ministry for Information Society and Administration, the Association of the Blind and the Faculty of Information Technologies and Computer Engineering. The Ministry hosts a web portal specifically targeted for disabled people, although it is not fully accessible to blind people.

Links

National Strategy for e-inclusion

http://www.mio.gov.mk/files/pdf/dokumenti/Strategija_za_e-vklucuvanje.pdf

Ministry website

<http://www.sakamznammozam.gov.mk/>

Announcement of speech synthesis project

<http://mioa.gov.mk/?q=node/2728>

D. Independent living

D1. Choice of living arrangements

There is no legislation directly regulating this issue for people with disabilities. According to the Law on Social Protection (Article 30), the right to home care and assistance is provided to elderly persons, persons with physical disabilities and with moderate and severe mental disabilities who are unable to care for themselves. Persons in the above categories are entitled to live within small group homes where possible (Article 39), to independent living with support (Article 40), and to accommodation in institutions for social protection (Article 43). Parents of children with disabilities must have access to appropriate training to enable them and their children to lead the fullest possible lives in society. An important change in the law related to the provision of home care and assistance provides children with physical and mental disabilities with the right to be placed in foster families. The process of

reintegrating children within their biological families is based on the right to live within a family. The Ministry of Labour and Social Policy provides support to families through day-care centres for persons with disabilities, clubs for adults with disabilities, and through the provision of help and care to people with disabilities in their homes, as is stated in the Law. There is no other regulation regarding living arrangements of people with disabilities and no support for house adaptations for people with disabilities.

Links

Law on Social Protection

http://www.mtsp.gov.mk/WBStorage/Files/precisten_soc_zastita.pdf

D2. De-institutionalisation

The process of de-institutionalisation is regulated through the Law for Social Protection. The National De-institutionalisation Strategy 2018-2027 re-confirms the Government's commitment to the liberation of the social welfare system through continued processes of decentralisation, de-institutionalisation, and diversification. More specifically, it aims at expanding the variety and scope of the offer of social services in Macedonia, increasing the availability of social services at local level (i.e. decentralisation of social protection), and promoting the pluralisation of social service providers. Considering this process, de-institutionalisation of adults with intellectual disabilities (number of created housing units and number of beneficiaries in the new services) is outlined as a key action within the Strategic Plan of MoLSP for 2017-2019.

According to the Law on Social Protection, "organised living with support in separate housing units" is defined as "a non-institutional protection service" for beneficiaries from Special Institution of Demir Kapija and also from other institutions that are involved in the de-institutionalisation process and for persons from foster families and biological families to prevent institutionalisation. Besides living in the original and foster families, this service has been promoted as the most appropriate and closest form of care and protection to family life.

In the country there are twelve public social institutions, out of which the largest is Demir Kapija (with 227 residents), which is designated for people with intellectual disabilities. Additionally, there are two rehabilitation facilities – one for persons with physical disabilities in Banja Bansko (with 63 residents) and one for persons with intellectual disabilities in Topansko Pole - Skopje (with 35 residents). Both of these two institutions were primarily, and are still, for children and youth. However, the majority of residents are over 18 years old. In Macedonia, there are also three large psychiatric hospitals: Bardovci, Demir Hisar, and a smaller one in Negorci. Besides providing services for temporary residents, these hospitals, also house substantial number of long-term residents (about 700).

In attempts for de-institutionalisation, the number of people with disabilities living in institutions has been reduced. The most attractive form of non-institutionalised care services are 'group homes' and 'foster families'. This is due to the financial allowance that the State is allocating to foster families versus biological families.

At the moment, there are 81 beneficiaries (43 in Negotino and 38 in Skopje) resettled from the Special Institution Demir Kapija in housing units managed by the Parent Organisation of

children with disability 'Poraka Negotino'. During the past period, the total number of resettled beneficiaries in housing units was 93. One beneficiary was resettled to the original family. One beneficiary who could not adapt returned to the Special institution Demir Kapija.

Links

National Strategy for de-institutionalisation 2018-2027

http://mtsp.gov.mk/content/pdf/strategii/Strategii%202018/Strategija_deinstitucionalizacija_Timjanik_2018-2027.pdf

The Strategic Plan of MoLSP 2017-2019

http://mtsp.gov.mk/content/pdf/strategii/Strateski_plan_MTSP%20za%202017-2019%20kv.pdf

Law on Social Protection (the Ministry of Labour and Social Policy)

http://mtsp.gov.mk/content/word/zakoni_ener/Nacrt_predlog_Zakon_Socijalna_zastita.doc

D3. Quality of social services

The social services are regulated within the Law for Social Protection. However, there is no regulatory mechanism for monitoring and evaluation at local or national level. The system for social support in Macedonia mainly includes the payment of social assistance and the provision of social services regulated by the Law on Social Protection.

The service delivery system is centralized. The state retains both functions - needs assessment and direct delivery of services. The Centres for Social Work (CSWs) are carrying out the function of the State in terms of providing access to social support (financial assistance and services) for vulnerable groups. According to the information from the Institute for Social Activities, services are mostly provided by public institutions (at the national level, and also at certain territories level); by the civil sector, by natural persons (minimal representation), and by private institutions (most of them are elderly homes and are located in Skopje).

The delivery of services is defined by the Rulebooks on the technical conditions and standards of the institutions for the delivery of social services (facility, equipment and professional staff). A financial service planning is based on the principle of cost, which means that it is activity-oriented. The mechanism for monitoring and evaluation of service delivery is mainly based on data collection and evaluation of documents. There is no time limiting period for achieving results in terms of more independent life of the beneficiary and there are no indicators for measuring the quality of the services.

The cost of service delivery is very low. For example, according to the MLSP Rulebook from May 2019, the costs for the standard organised living with support in the residential unit are MKD 18,000 (equivalent to EUR 293). In the new methodology for determining the prices for social services, this cost for the standard organised living with support in a residential unit for five beneficiaries is MKD 26,075 (equivalent to EUR 423).

Links

Law on Social Protection

http://www.mtsp.gov.mk/WBStorage/Files/precisten_soc_zastita.pdf

Law on Social Protection enacted in May 2019

http://www.mtsp.gov.mk/content/pdf/zakoni/2019/28.5_zakon_SZ.pdf

By-Law on Manner, Type and Number of Professionals to Provide care, facilities and equipment to persons living in small group homes

http://www.mtsp.gov.mk/content/pdf/pravilnicisocijalna/pravilnik_centar_domasni_uslovi.pdf

By-Law on the norms and standards for premises, equipment, staff and resources required for the establishment of operations of social protection institutions - Center for assistance at home

http://www.mtsp.gov.mk/content/pdf/pravilnicisocijalna/pravilnik_centar_domasni_uslovi.pdf

Rulebook on the criteria for selecting a foster family, the type and services that are provided to the accommodate person

http://mtsp.gov.mk/WBStorage/Files/prav_zgrizu.pdf

Rulebook on the requirements for standards in terms of required space, equipment and staff, levels of support, method and programme implementation support for independent living in a housing unit

http://www.mtsp.gov.mk/WBStorage/Files/pravilnik_stambena_edinica.pdf

Rules for Regulatory Daycare Nutrition for Users in Institutions of Institutional Social Care

http://www.mtsp.gov.mk/WBStorage/Files/pravilnik_stambena_edinica.pdf

Methodology for establishing prices for social services

https://social-rights-balkan.org/wp-content/uploads/Metodologija-za-utvrduvanje-na-cenite-na-socijalnite-uslugi_MKD_2018.pdf

Standards and procedures of the centers for social work

<http://www.mtsp.gov.mk/content/pdf/standardi%20%20FINAL.pdf>

Publication 'How much does disability cost?'

<https://www.scribd.com/document/100932600/%D0%9A%D0%BE%D0%BB%D0%BA%D1%83-%D1%87%D0%B8%D0%BD%D0%B8-%D1%85%D0%B5%D0%BD%D0%B8%D0%B4%D0%BA%D0%B5%D0%BF%D0%BE%D1%82>

D4. Provision of assistive devices at home

The Law for health protection and the Law for health insurance regulate the provision of assistive devices. The Fund for health insurance has defined the list of the assistive equipment (prostheses, orthoses, crutches, wheelchairs, orthopaedic shoes, hearing aids, white cane, antidecubital items, etc). They are all determined by time of use, but are free for children with disability, while adults with disability have to contribute. The amount amount of contribution ranges from 10-20%. Highly technical appliances are not included in this list.

Links

Law for health protection

<http://www.fzo.org.mk/WBStorage/Files/ZAKON%20ZA%20ZDRAVSTVENATA%20ZASTITA%2043%20od%2029.03.2012.pdf>

Law for health insurance

http://www.fzo.org.mk/WBStorage/Files/ZAKON_ZA_ZDRAVSTVENOTO_OSIGURUVANE_Precisten_tekst_19_od_2011.pdf

D5. Availability of personal assistance schemes

Personal assistance (as defined by the Independent Living movement in Europe) is not regulated in Macedonia. Instead, support services for people with disability are provided in

day-care centres supported by the Ministry for Labour and Social Policy, which lack the legislative regulation. There are 19 day-care centres for children with disabilities (although data from the Institute for Social Affairs show that they often accept those older than 18 years). A number of day-care centres are managed by non-governmental organizations. The Law for social protection does provide a social benefit 'The right to a financial allowance for help and care by another person'. This allowance ranges from 3,702 MKD (49 euros) to 4,185 MKD (68 euros). The financial benefit available to a foster family per child is 12,500 MKD (around 200 Euros) per month, followed by the right for one of the foster parents if he/ she is unemployed to receive a pension benefit for the time spent fostering the child with disability.

Links

Law for Social Protection

http://www.mtsp.gov.mk/WBStorage/Files/precisten_soc_zastita.pdf

D6. Income maintenance

Disability status is an eligibility criterion for a number of welfare benefits: monthly integration allowances for transport of people with mobility problems, for medication and diet food, for communication, for access to information and for accessible information, for training. All benefits are conditional upon a disability assessment of the individual, which reflects their medical condition rather than levels of functioning. In 2011, the Government adopted changes in the Law for Social protection which will allow, from June 2012, people with 100% visual impairment and people with 100% physical disability to receive so-called 'Mobile allowance' of 7,000 MKD (around 120 euros).

Links

Law for Social Protection

http://www.mtsp.gov.mk/WBStorage/Files/precisten_soc_zastita.pdf

D7. Additional costs

No additional costs for disability are provided for through the laws. Some people with disability do not pay road tolls or parking. The MLSP covers the expenses for diapers for children and older people with disability with incontinence, while some of the Municipalities cover transport costs for buses for people with disability in capital city.

Links

Ministry for Transport and Communications

http://mtc.gov.mk/new_site/en/

Law for Social Protection

http://www.mtsp.gov.mk/WBStorage/Files/precisten_soc_zastita.pdf

Official portal of City of Skopje

<http://www.skopje.gov.mk/ShowAnnouncements.aspx?ItemID=4759&mid=482&tabId=1&tabIndex=0>

D8. Retirement income

For the retirement, in terms of age and years of work service for people with disability,

benefits are provided by the State. According to the Law on Pension and Disability Insurance people with disabilities are entitled to a beneficial working year (i.e. 12 months of working life span is counted as 15 months of working service). In addition to this, people with disabilities, as employees with complete working life span, are entitled to retire 5 years early in pension, irrespective of gender. There is the possibility for person with disability to receive a disability pension, if he/she fulfils the condition of having 15 years of working life span.

Links

Law on Pension and Disability Insurance

http://www.sfid.mk/comp_includes/webdata/documents/Zakon%20za%20penziskoto%20i%20invalidakoto%20osiguruvanje.pdf

E. Education

E1. Special schools

The work and function of the special primary and secondary schools is regulated by the Law on Primary Education.

The Bureau for the Development of Education is responsible for the design and development of the curriculum for the special schools

The latest data of the State Statistical Office show that there were almost 185,112 students enrolled in primary education in the 2016/17 school year, from which 84,879 were pupils from 1st – 4th grade. In the same year, there were 740 'students with special educational needs' enrolled in special primary schools or in special classes within mainstream schools (i.e. who are only physically located in the same premises as their fellow students without disabilities, but follow special curricula and instruction). From those, 293 are pupils with disability from the 1- 4th grade in 'special schools'. These figures present staggeringly low number of pupils with disability (0.4%) in the country. The low numbers are also explained by the fact that official statistics only register learners with disability enrolled in special schools or special classes, but not those in mainstream schools.

There are 45 special classes, part of primary schools, with 993 pupils and four special secondary schools with 307 students. The curriculum they offer is outdated, and graduate students cannot enter the open labour market with the knowledge they get. As in other areas, there is a lack of data for this target group.

Links

Analysis of primary and secondary education in 2007/8

<http://www.mtsp.gov.mk/WBStorage/Files/Rodova%20analiza%20za%20osnovnoto,%20srednoto%20i%20viskoto%20obrazovanie.pdf>

Statistical review No. 2.4.18.05/896

<http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>

Law on Primary Education

http://www.mon.gov.mk/images/%D0%97%D0%B0%D0%BA%D0%BE%D0%BD_%D0%B7%D0%B0_%D0%BE%D1%81%D0%BD%D0%BE%D0%B2%D0%BD%D0%BE%D1%82%D0%BE_%D0%BE%D0%B1%D1%80%D0%B0%D0%B7%D0%BE%D0%B2%D0%B0%D0%BD%D0%B8%D0%B507.pdf

Bureau for the Development of Education

<https://www.bro.gov.mk/%D1%81%D0%B5%D0%BA%D1%82%D0%BE%D1%80%D0%B8-2/>

Demystification of the rights of persons with disability in the Republic of Macedonia with reference to the right to education

<http://polioplus.org.mk/margina/dokumenti/Alkata-sto-nedostasuva-en.pdf>

E2. Mainstream schools

The Macedonian Constitution (Art. 44) states that 'Everyone has the right to education'. Education is available to everyone under equal conditions, primary and secondary education is obligatory and free of charge, provided by the State. An important aspect of above mentioned Article for people with disability is the Law for primary education which provides for primary education to be organized in the hospitals and health institutions. In the Law for secondary education, in the list for discrimination prohibition, disability is not included as a ground but the inclusion of people with disability is mentioned in several provision. Separate classrooms are provided by the Law for pupil and student standard with a ratio of disabled and non-disabled students. Despite a lack of data, the Law obligates primary and secondary schools, as well as kindergartens, to engage a special educator (defectologist) to work with pupils and students with disabilities.

Links

Law for primary education

http://www.mon.gov.mk/download_mk/Documents/Zakoni/zakon+za+osnovnoto+obrazovanie.pdf

Law for secondary education

http://www.mon.gov.mk/download_mk/Konkurs+Smestuvanje+2008_09/Zakon%20za%20uce nickiot%20i%20studentskiot%20standard.pdf

E3. Sign language and Braille in school

There are no provisions for learning Braille or sign language in mainstream schools. Braille and sign language are taught only in the special secondary schools for blind and deaf students respectively. With the Law for sign language kindergartens, primary and secondary schools are obliged to provide sign language interpreters for pupils with hearing impairments.

Links

Law on the use of sign language

<http://www.mtsp.gov.mk/WBStorage/Files/znakoven%20jazik.doc>

E4. Vocational training

The vocational training for people with disability is very limited and dated. Disability is not included within the Law for Vocational Education and Training, implemented by the Center for vocational education and training, which is public service institution. The Law for social protection regulates vocational training. The reception centres and institutions for children and juveniles with educational and social difficulties include reception centres for care of educationally neglected children and juveniles. These institutions provide housing, education and vocational training. The law for employment of people with disabilities also regulates

vocational training for people with disability where the Institutions for professional rehabilitation are institutions for vocational training and employment of persons with limited working abilities. These are funded through the Special fund for employment of people with disability. The number of vocations in the Centres for training and rehabilitation is limited, mainly in manufacturing (such as sewing, packings, envelope sticking etc.).

Links

Law for Vocational Education and Training

http://www.csoo.edu.mk/eng/images/stories/zakon_za_strucno_obrazovanje_i_obuka.pdf

Law for employment of people with disabilities

http://www.mtsp.gov.mk/WBStorage/Files/vrabetuvanje_invalidni.doc

Law for Social Protection

http://www.mtsp.gov.mk/WBStorage/Files/precisten_soc_zastita.pdf

E5. Higher education

In the Law for higher education provides certain benefits for students with disabilities, such as no fee scholarships (Article 87), free transport to school, free accommodation and meals in the student dormitory (Article 14). The Article 150 mentions the need for accessibility, but it is not obligatory and it is left to Universities to determine such need.

Links

Law for higher education

http://dpi.mon.gov.mk/index.php?option=com_content&view=article&id=3:2010-09-07-09-15-51&catid=11:2010-08-24-11-46-39&Itemid=23

Ministry for education and science of Macedonia

<http://mon.gov.mk/novosti/702-zakonvisoko>

F. Employment

F1. Non-discrimination in employment

According to the Macedonian Constitution (Article 32) everyone has the right to work without any discrimination. People with disabilities are not mentioned specifically, which means that they have the right to work equally to the others. The Labour law does include disability, along with other grounds, as a basis for non-discrimination (Article 6). Macedonian labour law in the basis for discrimination, besides others includes the disability as ground for discrimination (Article 6). The Law on Prevention and Protection against Discrimination prohibits all forms of discrimination committed by natural and legal persons in both the public and the private sector, inter alia, in the area of work and labour relations (Article 4). Of special relevance for the people with disabilities is Article 5 paragraph 1 point 12 and Article 8 paragraph 2, which stipulates the provision of reasonable accommodation. The Law stipulates that 'adjustment of the infrastructure and the services is adopting appropriate measures required in some particular case, on order to provide to the person with intellectual and body disability, the access, the participation and advancing in the labour process, unless these measures impose disproportionate encumbrance to the employer'. Moreover, the Law does not define the term 'appropriate measures' regarding persons with disability, except for clarifying that they are individualised, or needed in the given case.

Links

Constitution of the Republic of Macedonia

<http://www.wipo.int/wipolex/en/details.jsp?id=10558>

Labour law

http://www.mtsp.gov.mk/WBStorage/Files/zro_precisten_2010.pdf

Law for prohibition and protection from discrimination

<http://www.kzd.mk/phocadownload/zakon-za-sprecuvanje-i-zastita-od-diskriminacija.pdf>

Constitution of the Republic of Macedonia

<http://www.sobranie.mk/ustav-na-rm.nspix>

F2. Public employment services

The Government is responsible for promoting the employment of people with disabilities and receives support from the European Social Funds for the modernisation of public employment services at the national, regional, and local level. The main agency of central government in this area is the Employment Service Agency of Republic of Macedonia (which also publishes statistics concerning unemployed people with disabilities). In 2009 steps were taken to enact a quota system for the employment of people with disabilities. The Law was prepared but it was not enacted due to resistance from international business and sheltered companies.

Law on civil servants and other laws and by-laws that regulate the employment in the public sector do not mention the issue of disability. Even more, they have 'neutral' provisions which place people with disability in a disadvantaged position, such as the requirement of a certificate of good general health condition. Other laws in this field do not mention people with disabilities.

Links

Employment Service Agency of Republic of Macedonia

<http://www.avrm.gov.mk/>

Law on civil servants:

http://www.ads.gov.mk/WBStorage/Files/ZDS_sl_vesnik_76_2010_precisten.pdf

F3. Workplace adaptations

According to the Law for employment of people with disability, employers can claim funds from the Governmental Special Funds in an amount up to 1,500 Euros for workplace adaptation according the needs of a single employee with disability. The employer is responsible for adaptations in the workplace.

Links

Law for employment of people with disability

http://www.mtsp.gov.mk/WBStorage/Files/vrabotuvanje_invalidni.doc

F4. Financial incentives

According to the Law on Employment of people with disabilities, the state exempts sheltered companies from pension and health contributions for all its employees (with or without disabilities). In addition, sheltered companies can receive more than EUR 5,000 per employed person with disability for a period of three years. In a period of five years, they can

request around EUR 40,000 for equipment advancement. Other companies can request return of the pension and health contribution only for the employed person with disability. The public sector is excluded from these financial incentives.

Over the last three years (2014-2017), a total of 1,748 requests for funds from the Special Fund has been submitted. It can be noted that 1,303 applications referred to non-refundable funds for employment of persons with disabilities, 14 requests for reasonable adaptation of the workplace, 428 requests for procurement of special equipment, and only three requests for job training of employees and unemployed persons with disability. There is a discrepancy between the approved and the submitted requests, which comes as a result of the fact that many of the applications have been filed in one year, and they are approved only in the next year, or even the year after that.

Links

Law on Employment of people with disabilities

http://www.mtsp.gov.mk/WBStorage/Files/vrabetuvanje_invalidni.doc

Analysis of the situation of people with physical disabilities in the Republic of Macedonia

http://www.mhc.org.mk/system/uploads/redactor_assets/documents/2581/3.pdf

Rulebook on the criteria and method of granting non-refundable funds from the Special Fund for improving the conditions for employment and working of persons with disability

<http://www.zapovim.mk/dokumenti/propisi/%D0%9F%D1%80%D0%B0%D0%B2%D0%B8%D0%BB%D0%BD%D0%B8%D0%BA%20%D0%B7%D0%B0%20%D0%BA%D1%80%D0%B8%D1%82%D0%B5%D1%80%D0%B8%D1%83%D0%BC%D0%B8%D1%82%D0%B5%20%D0%B8%20%D0%BD%D0%B0%D1%87%D0%B8%D0%BD%D0%BE%D1%82%20%D0%BD%D0%B0%20%D0%B4%D0%BE%D0%B4%D0%B5%D0%BB%D1%83%D0%B2%D0%B0%D1%9A%D0%B5%20%D0%BD%D0%B0%20%D0%BD%D0%B5%D0%BF%D0%BE%D0%B2%D1%80%D0%B0%D1%82%D0%BD%D0%B8%20%D1%81%D1%80%D0%B5%D0%B4%D1%81%D1%82%D0%B2%D0%B0%20%D0%BE%D0%B4%20%D0%9F%D0%BE%D1%81%D0%B5%D0%B1%D0%BD%D0%B8%D0%BE%D1%82%20%D1%84%D0%BE%D0%BD%D0%B4.pdf>

G. Statistics and data collection

G1. Official research

There is no official research on data for people with disabilities in Macedonia. According the State Statistical Office, the total number of adult with disabilities recipients of social welfare for 2017 was 26,933, of which 2,820 were youth. It has to be noted that the data are just reflecting those recipients who are eligible for social benefits. The disability assessment is based on a medical approach, and those who have 99% or less are not registered by the Centers for Social Work and by the Statistical Office.

Links

State Statistical Office of the Rep. of Macedonia, Social welfare for children, youth and adults, Statistical Review 2017 (see pp. 40-41)

<http://www.stat.gov.mk/Publikacii/2.4.18.10.pdf>

National Strategy for Reducing Poverty and Social Exclusion (2010-2020)

<http://www.mtsp.gov.mk/WBStorage/Files/SocialExclusion%20Starategy%20MK%20final%20word.doc>

G2. Census data

A question of disability was first entered in the census questionnaire planned for 2011, which was suspended for political reasons. The State Census Commission is the responsible body of the State Statistical Office.

Links

State Census Commission

http://www.stat.gov.mk/Aktivnosti_en.aspx?rbra=27

Information regarding the 2011 Census

http://www.stat.gov.mk/Aktivnosti_en.aspx?rbra=43

G3. Labour Force Survey

Disability is calculated as a separate issue in the Labour Force survey. The rates for employment/unemployment are provided by the National Agency for Employment, the Ministry of Labour and Social Policy. The international institutions and domestic NGOs have also conducted partial surveys (with inconsistent data).

There no official comparison data among employed persons with and without disability or among those who are unemployed.

According to the data from the State Statistical office, the number of employed persons with disabilities in sheltered companies, has been increasing since 2000, when the Law on Employment of persons with disability was enacted, and reached 2,195 in 2017, of which eight are disabled veterans, 151 are classified as 'occupational disability workers' (Инвалиди на трудот) and 2,036 as 'other disabled persons' (Други инвалиди).

'Occupational disability workers' are those assessed as having a reduced work capacity and who are registered as job seekers with the Employment Agency. According to the data from the State Statistical office, the overall number of employees in these companies is decreasing, but there are no analyses made as to why this is happening. This data is further disaggregated by those who work from home or at sheltered sector company premises. According to the data from the Statistical Office, in comparison to 2016, when just one person was employed as working from home, in 2017 that number increased to 16. Considering the type of impairment, the largest group of employees with disability in sheltered companies are those with intellectual disabilities (846), followed by persons with physical disabilities (519). In the category 'other disabled' (404) are those whose impairment type was not identified.

The employment data shows that the involvement of women with disability in the sheltered companies is consistently, and considerably, less than that of men with disabilities.

The open labour market remains largely closed for persons with disability. The 2017 research survey (Disability Road Map) findings concluded that most often people with disabilities are employed in small and medium-sized enterprises, however, they are not registered as persons with disability and the companies are not providing them with adequate adaptation in the workplace.

Links

Labour Force Survey report

http://www.stat.gov.mk/PrikaziPoslednaPublikacija_en.aspx?id=3

State Statistical Office of the Rep. of Macedonia, Social welfare for children, youth and adults, Statistical Review 2017 (p. 31)

<http://www.stat.gov.mk/Publikacii/2.4.18.10.pdf>

State Statistical Office of the Rep. of Macedonia, Social welfare for children, youth and adults, Statistical Review 2017

<http://www.stat.gov.mk/Publikacii/2.4.18.10.pdf>

Disability Road Map, Reasonable accommodation

<http://www.polioplus.org.mk/dec/newpage4.html>

G4. Disability equality indicators

There are no official disability equality indicators established in Macedonia.

H. Awareness and external action

H1. Awareness raising programs

Although no comprehensive awareness raising program exists, there are certain awareness raising actions. In 2009, the Ministry for Labour and Social Policy launched a small scale campaign. Since 2000, DPOs have occasionally launched specific campaigns (Poraka, Polio Plus). The Share-SEE project (Handicap International) has supported several local DPOs with capacity building training seminars.

Links

Information on the Poraka campaign (2009)

<http://www.ndi.org/node/18698>

Polio Plus activities

http://civicamobilitas.org.mk/en/index.php?option=com_content&view=article&id=117:polio-plus--movement-against-handicap&catid=27:-2011&Itemid=231

H2. Training for teachers

There is no formal training requirement in special education for mainstream teachers in Macedonia. Some introductory activity is undertaken by civil society organisations. The Pedagogical Institute of Macedonia has identified for some years the need for greater awareness and training for inclusive education amongst teachers (e.g. in studies supported by the European Training Foundation). There is a graduate course of study for Special

Education teachers (who work in institutions and special schools but may advise as part of team in mainstream schools). Institute of Special Education and Rehabilitation also publishes the Journal of Special Education and Rehabilitation.

Links

Institute of Special Education and Rehabilitation

http://fzf.ukim.edu.mk/index.php?option=com_content&view=article&id=502&Itemid=79&lang=en-GB

H3. Training for lawyers

There is no formal training on disability equality for legal professionals.

H4. Training for doctors

There is no formal training on disability equality for medical professionals.

H5. Training for engineers

A manual for accessibility was published in cooperation between civil society and the Faculty for Architecture in 2006. Occasional lectures on the subject universal design have been organized in the universities. The five-year curriculum for architect students does not include specific reference to disability access or inclusive design.

Links

Faculty of Architecture

<http://a2.arh.ukim.edu.mk/index.php>

H6. International development aid

Macedonia has been primarily a recipient, rather than a donor, of international aid. There are several programmes specifically targeting people with disability (e.g. in EU pre-accession (IPA) Regional Development Programmes and USAID Disability Strategy projects).

Links

EU pre-accession (IPA) Regional Development Programmes

<http://www.mtsp.gov.mk/WBStorage/Files/ap.pdf>

USAID Disability Strategy projects

<http://macedonia.usaid.gov/mk/index.html>