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**IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration of
the initial report of The Former Yugoslav Republic of Macedonia concerning the rights
referred to in articles 1-15 of the International Covenant on Economic, Social and Cultural
Rights (E/1990/5/Add.69)**

**I. GENERAL FRAMEWORK WITHIN WHICH THE
COVENANT IS IMPLEMENTED**

1. Please provide information on the status of the Covenant in the domestic legal order, and indicate whether any of the rights contained in the Covenant have been applied by national courts of law.
2. Please indicate whether the State party intends to adopt and implement a national plan of action on human rights in accordance with the Vienna Declaration and Programme of Action of 1993.
3. Please indicate whether in preparing its initial report the State party has consulted with any non-governmental organizations.
4. Please describe the role and functions of the Human Rights Ombudsman's Office, with particular reference to economic, social and cultural rights.

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5. What measures, if any, have been taken to ensure that the provisions of the Law on Courts relating to the independence of the judiciary, particularly to the lower judiciary, are implemented?

6. Does the State party ensure that its obligations under the Covenant are taken fully into account when it enters into negotiations concerning international assistance, technical co-operation and other arrangements with international organizations, in particular with the international financial institutions?

7. Please indicate whether the State Party intends to ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Labour Organization Convention No. 174 of 1993 on the Prevention of Major Industrial Accidents.

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 2.2: Non-discrimination

8. Please indicate what measures the State party has taken to ensure that the decentralization process under way in the State party does not exacerbate in certain regions ethnic tensions and discriminatory practices among the various communities.

9. Please indicate what measures, legislative or otherwise, the State party has taken to combat discrimination against persons belonging to ethnic minorities and against persons with disabilities. Has the anti-discrimination law, which was drafted by the Helsinki Committee, been enacted by the State party?

10. What specific measures have been taken by the State party to ensure that the Roma people are not denied access to social assistance and health care and are not subjected to racially-motivated human rights abuses?

Article 3: Equality of men and women

11. Please explain whether the measures taken by the Department for Gender Equality Promotion and the Gender Equality Committees set up in the ten cities of the State party have been successful in combating gender discrimination.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6: The right to work

12. In the light of the unemployment rate of the State party which has been estimated at about one third of the labour force, please indicate what measures have been taken to remedy that situation. Has the Law on Employment Promotion adopted in 2003 yielded any positive results?

13. According to the State party's report, unemployment among women, persons with disabilities, the Roma people and persons below the age of 30 is a persistent and acute problem. Please indicate what measures have been taken to combat unemployment among these groups of people. Has the Law on Employment of Disabled Persons adopted in 2000 improved the employment opportunities of persons with disabilities? Can the State Party also indicate whether the National Action Plan for Employment (NAPE), the National Strategy for Roma (NSR) and the Decade Action Plans (DAP) adopted to combat the problem of unemployment have yielded any positive results?

Article 7: The right to just and favourable conditions of work

14. Has the amendment to article 70-a of the Law on Labour Relations resulted in ensuring equal wages for work of equal value for men and women? How many employment contracts, if any, have been declared null and void under that enactment?

15. Please explain how the minimum wage is determined by collective bargaining and labour legislation. Is the minimum wage sufficient to enable workers and their families to enjoy an adequate standard of living?

16. Please provide information on the number of labour accidents and on preventive measures adopted and sanctions imposed on companies that have been liable for these accidents over the past five-year period.

Article 8: Trade union rights

17. Please explain how the right to form and join trade unions is being regulated and implemented in the State party. Please indicate whether the State party intends to make membership of a trade union open to everyone, irrespective of citizenship. Can employees in the private sector freely join and participate in trade union activities?

18. Please indicate whether there are any groups of employees which are not entitled to strike. What are the reasons for this restriction?

Article 9: The right to social security

19. Please indicate the groups of people, including persons belonging to ethnic minorities, and the percentage of the total population, who are covered by the Law on Social Protection and the Programme for Social Protection in force in the State party.
20. Please indicate the reasons for the sharp reduction in social assistance and welfare benefits, especially for persons with disabilities?

Article 10: Protection of family, mothers and children

21. Please indicate what measures the State party has adopted to address the problem of child labour. Is the Law on Labour Relations regulating child labour in accordance with international instruments on the rights of the child?
22. Please provide detailed information on the measures taken by the State party to address and prevent acts of domestic violence, prosecute and punish offenders and to provide support and protection to victims.
23. The State party is reportedly a country of origin as well as a transit and destination country in respect of trafficking in persons for sexual exploitation. Please provide information on effective measures taken to combat trafficking in persons, especially of women and girls.

Article 11: The right to an adequate standard of living

24. The Statistics Office of the State party has reportedly indicated that about 30 percent of the population lived below the poverty line in 2004. What is the current percentage of the population living below the poverty line and what measures have been adopted to improve the living conditions of that section of the population?
25. Please provide information on measures adopted by the State party to improve the housing situation in the country, in particular for internally displaced persons, the Roma people and other persons belonging to ethnic minorities, and the disadvantaged and marginalized groups.
26. What steps have been taken by the State party to resolve the property status of the numerous Roma people who were displaced in 1963 from their original properties and moved to the Roma neighbourhood Suto Orizari?
27. Please supply statistical data and other social and demographic information concerning the homeless and people subjected to forced evictions.

Article 12: The right to physical and mental health

28. Please indicate whether there are any groups of people in the State party who are not covered by the Law on Health Care and the Health Insurance Fund.
29. What steps are being taken to deal with the high mortality rate among the Roma people?
30. Please provide information about any measures which have been taken to address the problem of the increasing number of unwanted pregnancies, especially among the Roma people, and of women resorting to abortion as a method of family planning.
31. What effective measures have been adopted and implemented by the State party to combat the persistent problem of air pollution from metallurgical industries?

Articles 13 and 14: The right to education

32. What steps are being taken by the State party to promote ethnic tolerance and racial harmony in schools?
33. It is said in the country report that a large number of school buildings do not meet technical and hygiene standards, while an even larger number have insufficient space, school inventory, basic resources and teaching devices. What steps has the State party taken to improve that situation and with what results?
34. What measures have been adopted by the State party to deal with the problem of school drop-out which often takes place during the transition from elementary to secondary education and affects particularly the Roma people and girls from other ethnic minority groups?
35. Does the fact that primary education is free also mean that text books and equipment are free, in accordance with the Committee's General Comment 13 (1999) on the right to education?
36. What steps are being taken to improve the literacy rate of the Roma people which is the lowest among persons belonging to ethnic minorities?
37. Please indicate the reasons why education laws restrict the establishment of private primary schools.
38. Please provide information on human rights education in educational establishments and the armed forces and among police and prison officers and judges.

Article 15: Cultural rights

39. Are there any cultural centres for persons belonging to ethnic minorities in the State party? If so, how are they funded and organized?

40. To what extent do the Law on Culture and the concepts of the “national program on culture” and the “national interest in culture” in the State party guarantee the right of everyone, including persons belonging to ethnic minorities and minority groups, to participate in cultural life?
