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### COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-seventh session

#### SUMMARY RECORD OF THE FIRST PART (PUBLIC)\* OF THE 44th MEETING

Held at the Palais Wilson, Geneva,  
on Tuesday, 14 November 2006, at 3 p.m.

Chairperson: Ms. BONOAN-DANDAN

#### SUMMARY

##### CONSIDERATION OF REPORTS

- (a) SUBMITTED BY STATES PARTIES UNDER ARTICLES 16 AND 17  
OF THE COVENANT (*continued*)

Initial report of the former Yugoslav Republic of Macedonia (*continued*)

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\* No summary record was prepared for the second part (closed) of the meeting.

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*The meeting was called to order at 3:05 p.m.*

CONSIDERATION OF REPORTS

- (a) SUBMITTED BY STATES PARTIES UNDER ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (*continued*)

Initial report of the former Yugoslav Republic of Macedonia (E/C.12/MKD/1; core document (HRI/CORE/MKD/2006); list of issues to be taken up (E/C.12/MKD/Q/1); written replies of the Government of the former Yugoslav Republic of Macedonia to the list of issues to be taken up (E/C.12/MKD/Q/1/Add.1)) (*continued*)

1. *At the invitation of the Chairperson, the delegation of the former Yugoslav Republic of Macedonia resumed their places at the Committee table.*

Articles 10 to 12 of the Covenant (*continued*)

2. Ms. ALEKSOSKA (former Yugoslav Republic of Macedonia) said that under the law on industrial relations, employees under 18 years of age could not hold a job that consisted mainly of arduous physical work, underground or underwater work, or work likely to have a prejudicial effect on life and health. These employees were entitled to annual leave in accordance with the same scales and rules for calculating the duration of annual leave as other employees, with an additional seven working days. They could not be assigned more than 40 hours of work weekly nor any night work, between 10 p.m. and 6 a.m., except where the public interest so required or because of particularly difficult circumstances, with the agreement of the Ministry of Labour. Under the aforementioned law, it was strictly prohibited to put persons under 15 years of age to work.

3. Mr. MESKOV (former Yugoslav Republic of Macedonia) said that the majority of the people displaced as a consequence of the security problems had returned to their region of origin. That being said, 725 displaced persons were still on the books, including 479 in reception centres and 246 in foster families. Most of these people, who deemed security conditions not to be such as to allow them to go home, were suing the Government for reparations. Pending the outcome of those proceedings, the Government had offered to pay their rent and grant them financial assistance.

4. Mr. TODOROV (former Yugoslav Republic of Macedonia) recognized that living conditions in penitentiaries were far from satisfactory, as most prisoners were in seven large prisons that were more than 50 years old. Accordingly, conscious that it must improve hygiene and resolve the problem of prison overcrowding, the Government had allocated large amounts over the last 12 months for prison renovation.

5. Ms. KAMBERI (former Yugoslav Republic of Macedonia) said that, although marriages between minors had been widespread a few years earlier, there were now significantly fewer. According to a survey of a representative sample of 1,000 people, only 1% of the respondents had married before the age of 18. To further improve the situation, the Government was endeavouring to promote girls' education and deter school dropouts, in particular among girls of the Roma and Albanian communities, who married very early. The Ministry of the Interior had also launched information and awareness campaigns on rape and acts of sexual violence against minors.

6. Ms. JANEVA (former Yugoslav Republic of Macedonia) said that the public health institute was the lead organization for water and air quality monitoring and for tracking the pollution situation. The Ministry of the Environment, for its part, was seeking to develop indicators to enable it to better assess progress in the field of environmental protection. In any event, the Government was devoting significant sums to environmental protection every year.

7. Ms. GROZDANOVA (former Yugoslav Republic of Macedonia) said there was no specific law prohibiting domestic violence but that such acts were regarded as criminal offences. Under the national plan of action for women's protection, research projects on the victims of domestic violence were to be undertaken, in particular to determine why they did not press charges.

#### Articles 13 to 15 of the Covenant

8. Ms. BRAS GOMES noted with concern that not all children attended primary school and that the problem was particularly acute among inhabitants of remote areas and the members of the Roma and Albanian communities, as many parents thought girls hardly needed any education. She asked whether the State party had taken measures to rectify this situation. Could children in rural areas take distance education programmes? Did social workers encourage the Roma and Albanian communities to provide education for their children?

9. Ms. Bras Gomes asked what was being done to provide minority students with quality education, not only in their own language, but also in the other official languages of the State party, so that they would subsequently be in a position to go on to higher education. Again, were the various measures and activities relating to human rights education combined and coordinated into a programme of national scope?

10. Mr. MARCHAN ROMERO said, first of all, that he welcomed the progressive vision of culture reflected in the section of the State party's initial report devoted to Article 15 of the Covenant, which refers to "a way in which people, drawing upon their own tradition, creatively build on the current reality with... new values which advance human rights and freedoms", to "the utilization of culture as [a] development resource", and to an approach to culture based on several fundamental principles such as accessibility, diversity and transparency. Referring to the Ohrid Framework Agreement of August 2001, which envisaged institutional reforms involving decentralization and protection of minorities following the uprising of the Albanians of Macedonia, he asked whether the provisions of Annex C of the Agreement, which sought to establish an intercultural dialogue to improve mutual comprehension and increase social cohesion, had been implemented. What specific rights to education and culture were guaranteed by the Ohrid Framework Agreement to the Albanian minority in those areas where it represented at least 20% of the population? What was being done to preserve the educational and cultural rights of minorities whose numbers were much smaller, in particular the Vlach?

11. Mr. KERDOUN, referring to the written reply of the Government of the former Yugoslav Republic of Macedonia to question No. 34 in the list of issues to be taken up, asked for confirmation of the existence of children that had never been sent to school, as well as details on the school dropout rate—for girls and boys both—and the mechanisms put in place to counter the two phenomena. He also wanted clearer answers on human rights education and, in particular—supported on this point by

Mr. RIEDEL—asked whether the education provided to law enforcement personnel was ad hoc or ongoing, and whether human rights were included as a separate subject in the curricula of all educational institutions, at all levels.

12. Mr. ABDEL-MONEIM asked how the State party was able to reconcile the principle of the “national interest in culture” and the need to “encourage diversity and variety of culture” that were referred to in paragraph 822 of the initial report. He would also like an explanation of the “processes of decentralization in culture” and the evaluation “of the need for privatization” of some cultural services, both of which were envisaged by the recent amendments to the Law on Culture mentioned in paragraph 841 of the report.

13. Mr. RIEDEL, recalling that under paragraph 2 (a) of article 13 of the Covenant primary education must be accessible to all free of charge, was concerned that, according to the written reply of the Government of the former Yugoslav Republic of Macedonia to question No. 35 on the list of issues to be taken up, “textbooks, school kits, and... school aids are paid [for] by the parents/guardians of the pupils” and asked what the Government planned to do to ensure equal opportunity for all children from the very start of their schooling.

14. Mr. PILLAY asked the State party’s delegation to comment on some reports that the budget allocated to education was down, while the illiteracy and school dropout rates were up, and that about half of all street children could not afford to attend school.

*The meeting was suspended at 4:05 p.m.; it resumed at 4:15 p.m.*

15. Mr. KOLEKESKI (former Yugoslav Republic of Macedonia) said that to provide children with a richer educational experience, a one-year extension in the duration of compulsory schooling, from 8 to 9 years, was planned as of 2007. The additional year would make it possible to devote more time, at the beginning of schooling, to learning and subsequent consolidation of basic reading and mathematics.

16. To ensure that children in rural and remote areas of the country had access to education and did not drop out, a school busing system had been put in place, and education system reforms under consideration called for continuing and distance education programmes in addition to the overhaul of primary education.

17. Two amendments had been made to the Constitution, authorizing the creation of private primary schools and making secondary education compulsory.

18. Mr. Kolekeski promised to provide further information at a later date on the situation of Albanian girls in the State party, in particular their school dropout rate.

19. Mr. MESKOV (former Yugoslav Republic of Macedonia) said that to support the schooling of children from low-income families, there was a plan to amend the law on social welfare to provide higher social security benefits to families that could not afford to send their children to school. Mr. Meskov said he did not have exact statistics on the national budget, but stated that the education budget was generally close to 5% of GDP, which was average for Europe. Moreover, the budget devoted to educational research activities had increased.

20. Mr. TODOROV (former Yugoslav Republic of Macedonia) said that to discharge obligations arising from the Ohrid Framework Agreement of August 2001,

to which his country was a party, and in particular the obligation to protect the cultural and social rights of certain minority communities and to broaden these communities' access to education, the State party had chosen to decentralize cultural institutions to the regions, whereas all cultural decisions had been centralized in Skopje up until 2001.

21. Ms. KURKCIOSKA (former Yugoslav Republic of Macedonia) said that her country attached the greatest importance to the respect of the cultural values of the various communities making up the population of Macedonia and was striving to protect ethnic minorities' cultural identity. Similarly, the appropriate authorities were seeking to protect the cultural rights of Macedonians living abroad. In order to promote the culture as a fundamental value in the life of citizens, the 2004–2008 national programme on culture had been adopted. Among other objectives, that programme sought to decentralize culture—the management of nearly half of all cultural institutions being transferred to local governments—to use culture as a development resource, and to protect and enhance the cultural heritage, as witnessed by the support being provided by the Government for the creation of an Albanian theatre.

22. Mr. MARCHAN ROMERO asked whether there was a national plan to assuage interethnic tensions, and what was to become of the rights of minorities making up less than 20% of the population.

23. Mr. MESKOV (former Yugoslav Republic of Macedonia) said that all ethnic minorities had the right to assert their cultural identity, whatever their demographic weight. However, only those meeting the 20% criterion—as the Roma did, in particular—were entitled to use their own language in official procedures. In conclusion, Mr. Meskov thanked Committee members for the constructive dialogue they had engaged in with his delegation and assured them that the closest attention shall be paid by his country's Government to their concluding observations.

24. The CHAIRPERSON thanked the delegation of the former Yugoslav Republic of Macedonia and announced that the examination of the State party's initial report was complete.

25. *The delegation of the former Yugoslav Republic of Macedonia then withdrew.*

*The first part (public) of the meeting ended at 4:50 p.m.*