

THE CHALLENGES FACED BY ROMA - RETURNEES IN MACEDONIA

REPORT BASED ON RESEARCH INTO THE REINTEGRATION
OF ROMA RETURNEES IN MACEDONIA



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CONTENTS:

Foreword	6
Introduction “Europe – so close, yet so far away”	7
The Roma from Macedonia as asylum-seekers in the European Union	7
Statistical indicators	8
The response of the Macedonian authorities	9
Basic information about the research	10
Definitions of the terms used	11
Research methodology “Ask someone who’s been there”.	12
Key findings and conclusions	13
Social protection “You can’t live off welfare like decent human beings...”	17
Healthcare “When I returned, my healthcare started deteriorating again... I’m thinking of going back to Germany”.	25
Education “Everyone has the right to education. Education is available to everyone under equal circumstances”.	31
Employment “We go abroad because there are no jobs for us here”.	37
Housing “I went abroad to build a house in Macedonia”.	42
Recommendations	48
Bibliography	52
Appendices	55



Foreword

This report on the research into the reintegration of the Roma returnees in Macedonia was prepared within the project “Promoting Sustainable Reintegration of the Roma Returnees in Macedonia”, conducted by the European Policy Institute (EPI), in collaboration with the Non-governmental Organization KHAM. The main goal of the project is to propose and advocate for policies enabling the reintegration of Roma returnees in Macedonia.

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The Roma from Macedonia as asylum-seekers in the European Union

The visa liberalization applicable to Macedonian citizens travelling to the EU member states (EU) came into force on 19 December 2009, following the decision of the Justice and Home Affairs Council of the EU member states.¹ This decision made it possible for Macedonian citizens to travel to 25 out of the 27 EU member countries (Great Britain and Ireland are an exception), as well as three other non-EU countries – Norway, Switzerland and Iceland. The visa-free regime applies to short tourist stays within the listed countries, i.e. it is limited to a maximum of 90 days over the course of six months.²

Prior to visa liberalization, Macedonia and the European Community signed an Agreement for the readmission of persons residing without a permit. This Agreement was ratified by the Republic of Macedonia in 2007³ and came into force at the start of 2008. Its goal was “to strengthen the collaboration for the purpose of more effective struggle against illegal migration and establishing reciprocal, quick and effective procedures for identification and secure return of people who do not fulfill, or no longer fulfill the conditions for entry, stay or residence on the territories of the Republic of Macedonia or some of the EU member-countries”.⁴ According to the Agreement, Macedonia had the obligation to take over: its own citizens, citizens from third countries and citizens without citizenship.

Soon after the introduction of visa-free travel, the number of asylum-seekers in the EU originating from Macedonia began to sharply increase. The unfavorable social and economic status of the Roma community in Macedonia and their insufficient inclusion in society are the key reasons why a large number of Roma people attempted to migrate to the highly-developed Western European countries. The marginalization of the Roma community in the country can be shown through a large number of indicators and studies, and the data presented in the “Roma Inclusion Index 2015” published by the Secretariat of the Roma Inclusion Decade from Budapest, Hungary, are especially telling:⁵ Less than 1 percent of Roma people obtain university degrees, unlike the 12 percent average of the total population. Equally, 17 percent of the total Roma population is illiterate, along with 25 percent of female Roma, in contrast to the national illiteracy rate of 4 percent. The unemployment rate amongst Roma is 49 percent in contrast to the rate of 24 percent across the country as a whole. The average lifespan, one of the crucial indicators of the health of the population, amounts to 59.7

1 Council Regulation (EC) No 1244/2009 of 30 November 2009 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, accessed on: 9.10.2017.

2 Information of the MOI of RM for travels to the Schengen zone, accessed on: 09.10.2017

3 Law on Ratification of the Agreement between the Republic of Macedonia and the European Community for readmission of persons residing without a permit, Official Gazette of the RM no 141/2007.

4 Law on Ratification of the Agreement between the Republic of Macedonia and the European Community for readmission of persons residing without a permit, Official Gazette of the RM no. 141/2007.

5 Roma Inclusion Index 2015, Decade of Roma Inclusion Secretariat Foundation, accessed on: 9.10.2017 r.

years for Roma, as opposed to the total average lifespan of 70.2 for the country's general population. The average monthly income for Roma people is by 58% lower than the national average. This data, which refers to 2014, is an excellent illustration of the reasons why many Roma families decide to go to the EU as asylum-seekers or migrants.

However, EU member states reject their asylum requests, considering them ungrounded and, calling on the readmission agreements with the countries from the Western Balkans, including Macedonia, they respond by organizing the return of asylum-seekers to their native countries, at the same time asking these countries to take measures to decrease the number of migrants and asylum-seekers going to the EU.

Statistical indicators

A good indicator of the seriousness and the scope of this issue is the number of people – Macedonian citizens who sought asylum in EU member states, which, according to Eurostat (the EU institution in charge of statistics) amounted to 1,130 for the second trimester of 2017.⁶ According to the same source, for a period of one year, in the period July 2016 – June 2017 to be more exact, a total of 5,670 Macedonian citizens sought asylum in the EU for the first time, which means that Macedonia ranks 30th on the list of countries with the highest number of citizens seeking asylum in EU member states.

Out of the total number of Macedonian citizens who seek asylum in the EU, the majority are Roma, something that has been confirmed by the European Commission itself on at least two occasions. In the first monitoring report on the aftermath of visa liberalization in 2011 the Commission assessed that 80 percent of processed asylum-seekers from Serbia and Macedonia are Roma (they speak the Roma language),⁷ and in the second report from December 2011 it is noted that “a significant majority of asylum-seekers come from the Roma minority”.⁸ In 2013, the European office for asylum-seekers’ report assessed that around 70 percent of asylum-seekers from Macedonia are Roma.⁹

If we take into account the State Statistical Office’s estimation from the Statistical Yearbook of the Republic of Macedonia 2017 that a total of 53,879 Roma live in the country (based on the last census from 2002),¹⁰ we would come to a rough conclusion that almost a tenth of the Roma population have requested asylum in EU member states for the first time in the period between July 2016 and June 2017 alone. It should be noted that, in addition to these alarming indicators, there is also a significant number of applicants who have sought asylum in EU two or more times. This is demonstrated by the fact that the fifth monitoring report on the aftermath of visa liberalization in 2015 indicates that as many as 37% of asylum seekers from the Western Balkans in September 2014 were people who had already previously submitted an asylum request in the EU and had been rejected.¹¹

6 Asylum quarterly report, Eurostat, September 2017, accessed on: 09.10.2017.

7 On the post-visa liberalisation monitoring for the Western Balkan countries in accordance with the Commission Statement of 8 November 2010, Commission staff working paper, European Commission, accessed on: 09.10.2017.

8 Second report on the post-visa liberalisation monitoring for the Western Balkan countries in accordance with the Commission Statement of 8 November 2010, Commission Staff Working Paper, European Commission, accessed on: 09.10.2017.

9 Asylum applicants from the Western Balkans, European Asylum Support Office, accessed on: 09.10.2017.

10 Statistical Yearbook of the Republic of Macedonia 2017, Chapter 03-Population, State Statistical Office, accessed on: 09.10.2017.

11 Fifth report on the post-visa liberalisation monitoring for the Western Balkan countries in accordance with the Commission Statement of 8 November 2010, Report from the Commission to the European Parliament and the Council, accessed on 09.10.2017.

We should also note that EU member states have rejected most of the asylum requests submitted by Macedonian citizens: according to the data of the European Commission only 0.9 percent of the asylum requests submitted by Macedonian citizens to EU countries have been approved.¹² The reason for this is the fact that the EU considers Macedonia to be a “safe country” – a country where the life and safety of any of the various groups of people, including the Roma, are not threatened.¹³

The response of the Macedonian authorities

As a response to this problem, back in 2010 the Macedonian government adopted a national Program for Reintegration Assistance and Support to Roma Returnees in the Republic of Macedonia in accordance with the readmission agreements. Some of the program’s key goals include: facilitating the “sustainable reintegration of returnees and thus preventing the recidivism in terms of illegal migration” and enabling and accelerating “access to the existing rights in the protection system”.¹⁴ What is typical of this program is that it did not involve setting a predetermined timeframe within which the program was to be implemented, but that the activities were expected to be started mainly in 2010 (along with a minor part in 2011) and continue to be implemented “further on”.¹⁵

Furthermore, the government’s annual programs for exercising social protection include returnees among the service users and beneficiaries of social protection measures, including them in the category “persons with recognized refugee status and persons under subsidiary protection, new asylum seekers accommodated in an institution, persons returned in accordance with the readmission agreements”. In particular, the Program on the Realization of Social Protection for 2017 re-affirms the Government’s commitment to implementing the aforementioned Program for Assistance and Support for the Reintegration of Returnees in the Republic of Macedonia in accordance with the Readmission Agreements, envisaging the application of “a set of measures and activities that will enable easy access to social rights for these people”.¹⁶ It has not been specified which measures and activities are expected to be taken during the course of 2017, which does not offer a clear enough image of the government’s plan, especially taking into account the loose ends of the timeframe for implementing the measures and activities mentioned in the reintegration program, explained in the previous paragraph.

The civic sector has also been involved in the efforts to facilitate the reintegration of Roma returnees. Several organizations are active, among other fields, in the area of providing free legal and para-legal aid, and supporting returnees in their access to personal documents, so-

12 An EU ‘Safe Countries of Origin’ List, European Commission, accessed on: 09.10.2017.

13 In 2017, nine EU Member States considered Macedonia to be a “safe country”, which include the countries where Macedonian citizens are often go to seek asylum. The official list of “safe countries” at the EU level will start to apply from 2019, in line with the European Commission’s Proposal for a Regulation of the European Parliament and of the Council establishing an EU common list of safe countries of origin for the purposes of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, and amending Directive 2013/32/EU (COM(2015)0450, already adopted by the Civil Liberties Committee of the European Parliament in 2016 [see: press-release of the European Parliament from 07.07.2016, accessed on 09.10.2017.

14 Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link, accessed on: 09.10.2017.

15 Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link, accessed on: 9.10.2017 година.

16 Program on Utilization of social protection for 2017, Government of the Republic of Macedonia (Official Gazette of the Republic of Macedonia No. 192/2016), accessed on: 09.10.2017.

cial protection, healthcare and education;¹⁷ other organizations offer direct educational support to Roma children, including those who had resided abroad as asylum-seekers.¹⁸ These activities of the CSOs aim to directly support the Roma communities that they work in. A smaller number of initiatives involve proposing policies and advocating for systemic improvement of the possibilities for the reintegration of Roma-returnees.¹⁹

The fact that a significant number of rejected asylum-seekers, as shown above, opt to head back to the EU to seek asylum once again, indicates that the overall social efforts, both those on the part of the public institutions and those of the civil sector, for the reintegration of Roma-returnees, are not sufficiently effective. In fact, bearing in mind the situation of the Roma in the country in general, one may say that we need primarily to significantly increase the inclusion of Roma into the Macedonian society, in order to prevent their going abroad as asylum-seekers.

Basic information about the research

This research report outlines the identified key challenges and difficulties that Roma returnees face when reintegrating into their native communities, in the attempt to secure a decent life for themselves and their families in Macedonia. The starting point of the research was their personal experiences and impressions, but the legal framework, public policies and the measures by public institutions aimed at encouraging reintegration, as well as the experiences of the civil sector in providing adequate support and assistance, were also taken into account. The final part of the report outlines some recommendations for improving the systemic response to this issue.

The research was conducted in the period June – September 2017.

17 For example: Center for Integration "Umbrella" (Skopje), Organization for Protection of Women's and Children's Rights "Lil" (Skopje), Macedonian Young Lawyers Association (Skopje), Roma Women's Organization from Macedonia "Daja" (Kumanovo), Roma National Center (Kumanovo), Center for Roma Community "Drom" (Kumanovo), Association for Roma Integration "Mesecina" (Gostivar), NGO "KHAM" (Delcevo), Center for Development of the Roma Community "Bairska svetlina" (Bitola), Roma Organization for Multicultural Affirmation "Roma SOS", "Democratic Development Association "Sonce" (Tetovo) etc.

18 For example: Center for Educational Support "Dendo vas" (Skopje), Center for Social Initiatives "Hope" (Skopje).

19 Examples of this kind of activity are the public policy documents: "Children of Roma returnees from abroad and their constitutionally guaranteed right to education" by Zh. Durmish and A. Mitkovski ("Roma Activists for Informed and Effective Roma Integration Policies", Open Society Foundation - Macedonia) and "Challenges for reintegration of Roma returnees in Macedonia in accordance with readmission agreements" (Analitika).

Definitions of the terms used

Several key terms are used throughout this report, which, within the report, have the following meaning:

Roma returnees are Macedonian citizens of Roma nationality who have been residing abroad, chiefly in EU member states, or the Western European countries more broadly, as asylum seekers, or economic migrants. This term covers the people who have returned to the country voluntarily, or who had been forcibly returned by the foreign country, in accordance with the re-admission agreements with the Republic of Macedonia.

Asylum-seekers refers to people – Macedonian citizens, who have officially submitted an asylum request in a foreign country, most often an EU member state.

The term economic migrants is used to denote Macedonian citizens, who, by taking advantage of the privilege of the visa-free regime, travel to the EU to enter an informal working engagement (in the so-called grey economy), regardless of whether they abide by or violate the conditions for visa-free stay in the foreign country (for example, a period of stay longer than the maximum period allowed).

Research methodology

“Ask someone who’s been there”.²⁰

The subject of this research was the reintegration of Roma-returnees in Macedonia, who had been residing in the Western European countries, as asylum-seekers or economic migrants.

The research focused on five areas: social protection (including the right to access to personal documentation), healthcare, education, employment and housing. It was conducted in five Roma communities: Skopje (Shuto Orizari), Bitola, Delchevo, Tetovo and Kumanovo, in an attempt to catch the possible “nuances” with regards to the subject of research in the different parts of the country.

The goals of the research were:

- to identify the challenges and difficulties faced by Roma returnees in the process of reintegration into their local communities and, more broadly, into Macedonian society and
- to provide recommendations with regards to public policies intending to support and aid the reintegration of Roma returnees.

The research is a qualitative analysis of primary and secondary data related to the reintegration of Roma returnees into their communities and society as a whole. The following methods of data collection were applied:

- desk-based research;
- focus-groups; and
- semi-structured interviews.

The main criterion for the selection of documents to be collected by means of desk-based research was that they would provide a description of the institutional response related to the reintegration of Roma returnees and enable monitoring of the progress of the legal framework and the framework of public policies related to it. Those were mainly legal documents (laws, bylaws), public policy documents (national programs), statistical data (from the domestic state bodies or from the EU, etc.) and grey literature (existing studies and research reports). Materials and literature were collected through the project activities from “Fostering sustainable reintegration of Roma returnees in Macedonia”, which the research itself was conducted within. All the documents are listed in the Bibliography section of this report.

A total of 46 returnees attended the focus groups, selected in collaboration with local civil society organizations and the local coordinators monitoring the reintegration of Roma returnees, engaged within the project “Fostering Sustainable Reintegration of Roma returnees in Macedonia”. The focus groups were conducted in the period between June and July 2017, and were chaired by the team leader, while different members of the research team acted as rapporteures. The focus group sessions were recorded (audio recordings) and notes were prepared from the discussions which were shared among the team members. The guide used

²⁰ Popular proverb.

to conduct the discussions within the focus-groups is enclosed in Appendix 5, while the data on the structure of the participants in the focus groups is available in Appendix 6.

In the period between June and September this year, we conducted 14 semi-structured interviews, five of which were with Roma returnees, seven with representatives of public institutions relevant to the reintegration of returnees and two with representatives of Roma CSOs providing free legal and paralegal aid to returnees in their own communities. This structure of the respondents enabled us, on the one hand, to get information on the immediate experiences and impressions of the people who are most directly affected – the Roma returnees – as well as to gain an insight into the achievements and challenges that the public institutions and CSOs face in their attempts to foster reintegration. The interviews were conducted by different members of the research team (the team leader in most cases), and notes were taken from the conducted interviews, which were then shared with the team. Some of the interviews were recorded (audio recordings) and were then also made available to the team members. The guides for the interviews with the different categories of respondents are enclosed in Appendices 1-3, while information on the conducted interviews is available in Appendix 4.

The interviews and focus-groups were analyzed through a qualitative thematic analysis.

Key findings and conclusions

The adoption of the Program for Assistance and Support in the Reintegration of Returnees in the Republic of Macedonia in accordance with the readmission agreements in 2010 was motivated by the need to provide “acceptance and professional assistance to returnees in dealing with the psycho-social stress and re-adaptation to the old-new environment”. Returnees are defined as “citizens of the Republic of Macedonia - who do not meet or no longer meet the conditions for legal entry, stay or residence in another country and who pass the readmission process in accordance with the readmission agreements signed by the Republic of Macedonia”.²¹ Although the readmission agreements do not implicitly refer to the population of voluntary returnees, they are entitled, in case they show the interest or need, to use the benefits offered by that Program. Thus, the possible coverage of program beneficiaries is expanded, although the document does not indicate how the interested voluntary returnees could use the measures envisaged in the program (for example, which institution they should turn to). The document emphasizes the disadvantaged position of “those returnees who have resided in a foreign country for a longer period of time, thereby losing all the ties to their country of origin.” “Particularly vulnerable groups”, according to the program, are: “the elderly, children, sick people, single parents, people with disabilities, victims of trafficking”.²²

The program’s philosophy is to provide support to returnees in exercising their human and civil rights on an equal footing with other citizens, rather than provide additional rights to them. This observation was confirmed by a representative of the Ministry of Labor and Social Policy (MLSP), involved in the preparation of the program and interviewed for the purposes of this

21 Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link accessed on: 09.10.2017

22 Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link accessed on: 09.10.2017

research, since additional support for returnees²³ could be interpreted as “*encouraging the practice of going abroad in order to seek asylum*”.²⁴

In order to strengthen the institutional framework fostering and facilitating the reintegration of Roma returnees, the program envisages the establishment of two national bodies: a coordinating body for returnees and a national reintegration center for returnees.²⁵

For the coordinating body for returnees, “a primary objective - the collection of statistical data for the purposes of monitoring the situation with returnees”.²⁶ was envisaged. It was envisaged for it to be managed by the Ministry of Interior (MOI), with representatives of several line ministries and relevant international organizations as its members.²⁷ Some of the key competencies of this body include, inter alia, creating measures to facilitate reintegration, establishing and updating an electronic database, and establishing and updating of a web page with, among other things, the available support packages for reintegration.

The second body - the national center for reintegration of returnees - had the key obligation of implementing the program, but it was not specified which state body would be responsible for managing this body, leaving open the possibility that “the managing of the center (with the financial support of the MLSP) could be entrusted to a citizens’ association”.²⁸ Some of the key competencies of this body include, inter alia, keeping records on and registering of returnees, issuing certificates from the competent authority on the current status of a returnee (for a period not exceeding 60 days), free legal aid and counseling, informing returnees about their rights and obligations, referring returnees to the appropriate institutions through which they can exercise their rights, etc. In addition, the program envisions the establishment of two local reintegration centers in the regions where returnees would be the most numerous, with similar competencies.

The public institutions in charge of implementing all the activities envisaged in the Program for Assistance and Support to the Reintegration of Returnees in the Republic of Macedonia have been determined in accordance with the readmission agreements, mainly from the line ministries and the two new bodies referred to in the paragraphs above. However, no budget has been envisaged for the program - each ministry is obliged to allocate funds from the state budget to those activities that it is in charge of implementing, for each budget year separately.

Unfortunately, in practice, apart from certain initial steps taken in the first two years - 2010 and 2011, the program has almost not been implemented at all. From the two bodies in charge, only the Coordinating Body for Returnees was established, which has been inactive for a longer period of time. According to the representative of the Ministry of Labor and Social Policy, who was interviewed in the research and involved in the establishment of the body, it

23 For example, prioritizing the returnees in comparison to the other citizens in the proceedings on, for example, exercising rights from the area of social protection.

24 Statement of an interviewee.

25 Part 1.3 of the Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements.

26 Part 1.3 of the Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link accessed on: 9.10.2017.

27 The Ministry of Labour and Social Policy, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Health, the Ministry of Education and Science and the Ministry of Local Self-Government.

28 Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link accessed on: 9.10.2017.

*“was never really activated and did not start implementing the stipulated competencies”.*²⁹ The non-establishment of the body with operational competencies for implementing the program - the national center for reintegration of returnees – is, in fact, in itself an illustration of the low level of implementation of the program.

The situation on the ground confirms this picture. No Roma-returnee involved in the survey through an interview or participating in a focus group had any knowledge about the opportunities, or had ever used the services ensuing from the implementation of the program. The representatives of the local public institutions involved in the interviews were not even aware of the existence of this government document, and neither were the interviewed representatives of the relevant civil society organizations. As an exception, the interviewed representative from the Center for Social Work knew that there was such a program, but was not familiar with its contents: *“I know that there is a government program for returnees, but I do not know what it consists of ... We are not involved in the implementation of that program ... There is no way for us to know who the returnees are unless the users themselves tell us”.*³⁰

One obvious consequence of the non-implementation of the program is the lack of statistical data on the number of returnees in the country, including Roma, especially when it comes to voluntary returns. In accordance with the readmission agreements, foreign countries share information with the local Ministry of Interior on those persons arriving in Macedonia through forced deportation, but thereafter there is no systemic exchange of information between the relevant institutions. Currently, other institutions working with returnees, such as the Centers for Social Work, the Employment Agency of the Republic of Macedonia (ESA), health institutions, schools, etc., receive information directly from the person - the citizen who uses their services, but only if the citizen voluntarily discloses this type of information to them.

Also, the non-implementation of the Program for Assistance and Support for the Reintegration of Returnees in the Republic of Macedonia according to the Readmission Agreements indicates the absence of coordination mechanisms between the competent state institutions (and other relevant stakeholders) regarding the reintegration of returnees. The survey did not conclude that there were any other forms or coordinating mechanisms that would at least partially replace the body foreseen by the program, at either the national or the local level.

This situation aggravates the reintegration of Roma returnees and appears to even further encourage the occurrence of multiple departures abroad, either as asylum seekers, or as economic migrants. The latter alternative seems to be particularly attractive for younger able-bodied Roma who have relatives or friends in some Western European countries. The following statement can be used to illustrate this:

*“I don't seek asylum, I don't need it. I go stay with my relatives in Germany, I don't need a visa, I work for three months and then I come back... Yes, I work on the black market, but my pockets are full of money when I come back. How could I ever make any money here?”*³¹

29 Statement of an interviewed person.

30 Statement of an interviewee.

31 Statement of a participant in a focus-group.

The Program for Assistance and Support to the Reintegration of Returnees in the Republic of Macedonia according to the Readmission Agreements foresees interventions in four areas: области:

- legal aid and personal documentation;
- social protection (including social housing);
- healthcare;
- employment; and
- education.

Taking into consideration the thematic focus of this research (social protection, health care, education, employment and housing), an overview of the progress in the implementation of the program in all the areas covered by the program will be presented, whereby the issue of personal documentation is covered under the section on social protection, while housing is shown as a separate area.

Social protection

“You can’t live off welfare like decent human beings...”³²

In its Article 1, the Constitution of the Republic of Macedonia defines that “the Republic of Macedonia is a sovereign, independent, democratic and welfare state”.³³ The fundamental act of the state also stipulates that “the Republic shall take care of the social protection and social security of the citizens in accordance with the principle of social justice”.³⁴ The key legal text that regulates the social protection of citizens is the Law on Social Protection.³⁵

The program for assistance and support for reintegration of returnees in the Republic of Macedonia according to the Readmission Agreements foresees three main activities in this area: opening a reception center for returnees, providing social services in the reception center and informing the returnees about the rights that they can exercise in the area of social protection.

The reception center, as shown in more detail in the thematic area of Housing below in this report, has not been established and does not work.

The services available to returnees, but only to those accommodated in the reception center, include “cooperation with the Ministry of Interior for urgent provision of the necessary personal documentation to those returnees who do not have it.”³⁶ “Connecting this type of support with the use of the services of the reception center reduces the number of returnees that could take advantage of this service from the very outset, although the vital records and personal documentation are a prerequisite for exercising any other rights. On the other hand, some of the returnees face a similar problem due to not keeping hold of their personal documentation or when it comes to children born abroad.

*“My little girl was born abroad, she doesn’t have a birth certificate. I can’t take a certificate out for her, so she won’t be able to go to school... They gave us documents there, but we didn’t have the time to take anything with us when they came to take us to the airport. Now I need to take out a certificate there first”.*³⁷

Similar issues were faced by a CSO involved in this research, which provided support in the process of taking out personal documentation.

*“We just recently had a case of an underage child, born abroad, in the country where they were seeking asylum, they were forcibly deported, the child’s documents were left there and now he does not have a birth certificate in order to be entered in the registry of births... We need to find the birth certificate from the town in Germany where they child was born, so that we can register him here.”*³⁸

32 Statement of an interviewee.

33 Constitution of the Republic of Macedonia, accessed on: 9.10.2017.

34 Article 35, paragraph 1 from the Constitution of the Republic of Macedonia.

35 Law on Social Protection, Off. Gazette of the Republic of Macedonia no. 79/2009; 36/2011; 51/2011; 166/2012; 15/2013; 79/2013; 164/2013; 187/2013; 38/2014; 44/2014; 116/2014; 180/2014; 33/2015; 72/2015; 104/2015; 150/2015; 173/2015; 192/2015 and 30/2016.

36 Program for Assistance and Support in the Reintegration of returnees to the Republic of Macedonia in accordance with the re-admission agreements, available on the following link, посетен на: 9.10.2017 година.

37 Statement of a participant in a focus group.

38 Statement of an interviewee.

Their experiences show that in such situations, the parents are advised to either directly communicate with the competent authorities in the foreign country or to address the embassy in Skopje. In both cases, the procedure is complicated and costly (mainly due to the communication costs and costs associated with the translation of the documents), and the foreign language adds an additional burden.

“In two cases we have managed to take a birth certificate directly from Germany... When we told them that a welfare recipient is in question, the person was not bound to pay for the birth certificate, they sent the certificate directly here, to the organization. But back then we used to have an employee who spoke German and we could do it... Now we have a similar case with a family that has returned from Spain, but all we could do was to advise them to go to the Embassy and try to do it on their own. We had no resources to support them”.³⁹

The survey did not identify ongoing or prior activities for the purpose of informing returnees on the rights they can exercise in the area of social protection, under the Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with the readmission agreements. Not only does the inadequate information on their social protection rights prevent returnees from taking advantage of the rights available to them, but in certain situations, due to errors or disregard for the procedure, it results in additional liabilities and difficulties:

„When the second child allowance still applied, my wife was a beneficiary. But one of my children passed, and in the meantime we had another one. Then they informed us from the Center that the second-child allowance was terminated and that I had the right to use it for two more months. The clerk then told me that I could use the third child allowance if I submitted a death certificate. I did what she told me, I took the certificate and they paid us for several months... Because the clerk helped me with the application I wanted to pay her back. Out of the total amount we got, 550 EUR, I gave her 50 EUR. But now they are asking me to pay the money back, for the entire year... My wife was in court and she got fined because she applied for an allowance for a dead child... but the clerk told me to submit it, and they had access to documents we had submitted. Why did they approve the allowance then?”⁴⁰

Outside the Program for Assistance and Support for the Reintegration of Returnees in the Republic of Macedonia according to the Readmission Agreements, the legislation in the field of social protection does not recognize returnees as a separate category that needs to be provided with social protection and no specific social services are provided targeting this particular group of citizens. They may use the rights to money transfers and social services that are available to all citizens.

When it comes to money transfers, in accordance with the Law on Social Protection, the Roma returnees, under the same circumstances as any other citizens, have access to the following types of financial assistance:

- social welfare;
- permanent welfare;
- financial assistance to a person who had the status of a child without parents and parental care until the age of 18;

³⁹ Statement of an interviewee.

⁴⁰ Statement of a participant in a focus group

- financial assistance to a mother who gave birth to a fourth child;
- financial assistance to a foster parent;
- financial compensation for assistance and care by another person;
- onefold financial assistance and assistance in kind;
- salary compensation for part-time work due to caring for a child with physical or mental disabilities;
- deafness allowance;
- financial assistance to a single parent who has a child with developmental disabilities;
- financial assistance for social housing;
- right to healthcare; and
- assistance for blindness and mobility.

The citizens submit the applications for the different types of social welfare to the local center for social work, which then proceeds with the legal procedure and adopts a decision to accept an application and grant the assistance. In this regard, it should be emphasized that some Roma returnees, especially those with a lower level of education, have difficulty understanding the various types of assistance available, the procedure, the required conditions and documents, and in general they find it difficult to communicate with the officials from the Centers for Social Work .

“If it hadn't been for NN (a person from a Roma CSO), nothing would have come out of it. God bless her, without her we wouldn't be getting even this small amount we are getting, she arranged it.”⁴²

We received similar positive feedback about the support offered by the Roma Information Centers, financed and led by the MLSP. Their role is “to establish improved, direct links between the Roma community and state authorities”.⁴³ Their activities include: educating and informing the Roma community, advising, consulting, providing direct help and support in conducting procedures before the competent institutions, sharing information on the ongoing open calls of the public institutions which are of interest to the Roma community, etc. The Roma Information Centers are located in nine cities with a substantial Roma population across the country: Skopje, Tetovo, Gostivar, Kumanovo, Shtip, Delchevo, Kocani, Bitola and Prilep. The positive impressions of the users that were shared with the researchers point to the importance of paralegal support and the proper informing of Roma returnees (in fact, of all Roma who need it) in dealing with the administrative procedures and proceedings.

“The employee from the RIC helped me a lot, I couldn't get the hang of it without him. I know nothing of documents, it takes an education for those things”.⁴⁴

On the other hand, several other statements demonstrate that Roma returnees and the employees working with them do not manage to establish effective communication:

41 Law on Social Protection, Official Gazette no. 79/2009; 36/2011; 51/2011; 166/2012; 15/2013; 79/2013; 164/2013; 187/2013; 38/2014; 44/2014; 116/2014; 180/2014; 33/2015; 72/2015; 104/2015; 150/2015; 173/2015; 192/2015 and 30/2016.

42 Statement of a participant in a focus group.

43 Brochure on Roma Information Centers “Who We Are”, available at MLSP's web-site accessed on 9.10.2017.

44 Statement of an interviewee.

“My daughter has a valid birth certificate, but they asked for a new one. I gave them a new one, they told me “where’s this other certificate”... I have no idea what this other certificate is, or what-its-name was, some document. I took that as well, and they told me “you need to wait”. I don’t understand”.⁴⁵

“They didn’t take my documents down at the center, they didn’t want to. Why? – I have no idea”.⁴⁶

These findings point to the need to strengthen the ability of CSW employees to establish proper communication with the representatives of marginalized groups, including Roma.

In some cases, the Roma returnees included in the research pointed to inadequate treatment of CSW officers, which they believe is due to the prejudices and stereotypes related to their ethnicity.

“They are splitting hairs down at the center just to reject you. They just want to get rid of you. And then they tell us “You Gypsies want everything, and you don’t understand a thing”.⁴⁷

The researchers also received information about alleged abuse of office and authority. In fact, one of the participants in the focus group publicly pointed out that a clerk from the local center for social work forced him to help her around the house for free in order for him to get some financial assistance:

“In order to approve the one-time financial assistance, the officer asked me to split firewood for her, 10 cubic meters, and ordered my wife to clean her house without paying us for it. And we weren’t even applying for one-time assistance, we wanted social welfare. “No can do”, she said – “If you want one-time assistance, this is how we’ll do it.”⁴⁸

Cases like this highlight the need to provide free legal and para-legal assistance to Roma, including Roma returnees, in order to facilitate the access to their legally guaranteed rights. On the other hand, the social institutions should ensure strict compliance with the legal regulations regarding possible discriminatory or corrupt practices by officials.

The most commonly mentioned type of financial compensation among the Roma returnees in the focus groups was social financial assistance. Without the intention to draw conclusions based on statistical indicators, most of the information received in the research relates to this type of financial assistance.

Roma returnees (in fact, as any other citizens) are unable to exercise the right to access to social financial assistance if even a single family member is not registered or lacks personal documents. A solution to this problem is envisaged in the Law on Social Protection⁴⁹ and in the by-law,⁵⁰ which regulate the procedure for obtaining social financial assistance and stipulates that the documentation attached to the application must refer to “all family members”.⁵¹ In practice, this means that, for example, a family of two parents and five chil-

45 Statement of an interviewee.

46 Statement of a participant in a focus-group.

47 Statement of a participant in a focus-group.

48 Statement of a participant in a focus-group.

dren cannot exercise the right to financial social assistance, although it meets all the criteria, because one of their children does not have a birth certificate.⁵²

"I don't take financial assistance, I don't have a birth certificate for my girl who was born abroad".⁵³

This rulebook needs to be changed to allow families to exercise the right to social financial assistance for as many members of the family as have the necessary documentation. In this way, the family would exercise their right to social financial assistance (in the amount determined according to the number of family members whose legal status is not disputed) and in parallel they could conduct the procedure for registration in the vital records of those family members who have not yet been entered (or have not regulated their civil status).

The people who have exercised the right to social financial assistance react to the amount, believing it to be below the minimum required for a decent life, or even insufficient for the most meager livelihood:

"Three thousand denars are not even enough for bread... What about diapers? What about clothes? And if someone gets sick? This is no life"⁵⁴

"I'm not applying. Why should I apply, for 2000 denars a month? And then I'll have to go report at the social center, at the employment energy... It'll take up all my time."⁵⁵

The amount of the social financial assistance is calculated by MLSP on an annual level. It has to be mentioned that the social financial assistance is paid in the amount of 100 percent of the established sum for the first three years, and upon the expiry of the third year, in the amount of 50% of the set sum.⁵⁶ The following amounts were set for 2017:⁵⁷

Number of members	amount (MKD)	50% (MKD)
Person	50%	1.416
two-member family and household	3.878	1.939
three member family and household	4.925	2.436
four-member family and household	5.973	2.987
family and household of five or more members	7.020	3.510

49 Article 50 of the Law on Social Protection.

50 Rulebook on the manner of determining the state of income, property and property rights of a household, determining the right holder and the necessary documentation for exercising and practicing the right to social financial assistance; Official Gazette of the Republic of Macedonia 54/2013.

51 Article 6 of the Rulebook on the manner of determining the state of income, property and property rights of a household, determining the right holder and the necessary documentation for exercising and practicing the right to social financial assistance; Official Gazette of the Republic of Macedonia 54/2013.

52 It is even more absurd as the amount of the financial assistance to a family with five or more members remains the same.

53 Statement of a participant in a focus group.

54 Statement of a participant in a focus group.

55 Statement of a participant in a focus group.

56 Article 48 of the Law on Social Protection.

57 http://www.mtsp.gov.mk/uslugi-ns_article-socijalna-paricna-pomosh.nsp

An additional restriction related to the amount of social assistance is imposed with the provision that the social financial assistance is granted to the person holding the right to it and the household in which he/she lives.⁵⁸ A household is defined as “a group of family members and other relatives, among which there is no legal obligation for mutual support, which jointly contribute, manage and consume the resources”.⁵⁹ In practice, this particularly affects multi-generational families living together:

“It’s fifteen of us living together: me and my wife together without our three sons and our grandchildren... Only one of our sons takes the social assistance, the others are not eligible because we live together. And where can they go, they must stay here. Give them a house, and they’ll live alone.”⁶⁰

It should be noted that the right to use social financial welfare is provided for “an unemployed person who is actively seeking a job in accordance with the Law on Employment and Insurance in Case of Unemployment”.⁶¹ The beneficiaries of the social financial assistance are obliged to apply at the Center for Social Work⁶² and EARM,⁶³ once a month in order to continue to use the right. In practice, Roma who go abroad as asylum seekers or economic migrants lose the right to social financial assistance due to irregular registration:

“Before I left, I used the social welfare, but I don’t have it any more, as I didn’t call in while I was not here”.⁶⁴

“Before I left, I used the social welfare, but I don’t have it any more, as I didn’t call in while I was not here”.⁶⁵

There is inconsistency between these two laws: the Law on Social Protection prescribes that a person who has lost the social welfare due to failure to report to the social welfare center cannot exercise the same right in the next six months.⁶⁶ The Law on Employment and Insurance in Case of Unemployment stipulates that the person who lost the status of an active job seeker due to non-reporting to the Employment Agency can regain that status “upon the expiry of one year”.⁶⁷ Since the right to social welfare, as shown above, is conditioned by the status of an active jobseeker, this situation de facto excludes Roma returnees (and all other citizens) from the right to social financial assistance for a period of 12 months. These legal provisions need to be harmonized.

Also, setting the status of an active job seeker as a condition for obtaining social welfare excludes citizens older than 65 years who have not fulfilled the conditions for using a pension, as eligible to exercise this right:⁶⁸

“I’m am 65 years old, I’m unemployed, and I can’t get a job. Who’d hire me? I submitted an application for social welfare, they told me “you should get an old-age pension, not social welfare”.

58 Article 45, paragraph 1 of the Law on Social Protection.

59 Article 45, paragraph 2 from the Law on Social Protection.

60 Statement of an interviewee.

61 Article 45, paragraph 3 from the Law on Social Protection.

62 In accordance with Article 50, paragraph 2 from the Law on Social Protection.

63 In accordance with Article 59-a, paragraph 1, from the Law on Employment and Insurance in case of Unemployment (Off. Gazette of RM no. 112/2014, consolidated text).

64 Statement of a participant in a focus-group.

65 Statement of a participant in a focus-group.

66 Article 50, paragraph 4 of the Law on Social protection.

*And I have only 12 years of official service, I don't qualify for old-age pension. There's nothing to do...*⁶⁹

The CSOs involved in the research indicated that some of the beneficiaries of social financial welfare lost their right to it due to a one-time cash income (through banking transactions or transactions through Western Union) by relatives or friends from abroad.⁷⁰ The persons did not report the income to the competent authorities, but after the income was registered by the Public Revenue Office, they lost the right to social financial assistance in the next 12 months:⁷¹

*"There are cases when relatives from abroad sent a Roma family 100-200 EUR for medical treatment, education, gift for a child... As soon as the money is deposited on the account, or through Western Union, it is automatically registered and the social welfare ceases. But those friends or relatives are unable to constantly send help, it's a one-time thing... They can apply for social welfare again after one year, but what can they do during that year?"*⁷²

The very procedure for exercising the right to a certain type of financial assistance is related to costs that seem high, bearing in mind the social position of the interested families. As an example, CSOs point out the procedure for receiving financial allowance for assistance and care from another person (popularly called "carer's allowance"), which is related to obtaining a consultative opinion of three specialists, which, depending on the type of the commission, costs between 1,200 and 1,700 MKD. In addition, people from smaller places must also settle the transportation costs to the nearest major city where there is an appropriate commission. The data gathered from the field research under a project done jointly by EPI and KHAM⁷³ includes an example of a family from Bitola that cannot exercise the right to a special allowance because they need a specialist neurological examination which can only be done in Skopje. The total costs to the family would be between 100 and 120 euros, which the family cannot afford to pay.

Although the law provides an opportunity for local self-government units to engage in social protection,⁷⁴ the survey did not come across any specific measures or activities of the municipalities regarding the reintegration of Roma returnees. No person involved in the survey informed us about any special programs or municipal support received. One interviewed representative emphasized that the financial situation of his municipality does not provide opportunities for providing additional social services or rights to citizens:

*"We only provide one-time aid in rare, exceptional situations, for example, if there is a fire. The municipality does not have the money for any larger-scale operations".*⁷⁵

Finally, in the National Program for the Development of Social Protection 2011-2021⁷⁶ which defines the goals, priorities and directions of the development of social protection

67 Article 59-a, paragraph 2 of the Law on Employment and Insurance in Case of Unemployment.

68 In accordance with Article 54 of the Law on Employment and Insurance in Case of Unemployment, people are considered to be able to work if they have up to 65 years of age.

69 Statement of an interviewee.

70 In accordance with Article 53, paragraph 1 and 2 from the Law on Social Protection.

71 At the time when this report was prepared (October 2017), MLSP already had announced that it would make adequate changes to the legal framework in order to avoid such occurrences.

72 Statement of an interviewed person.

73 The project "Promoting Sustainable Reintegration of Roma Returnees in Macedonia", within which the research was in fact conducted.

in the medium and long term, several significant measures have been envisaged in order to facilitate access to social protection for the citizens, which would also help to overcome some of the difficulties faced by Roma returnees in their attempts to exercise their rights in the field of social protection:

- Restructuring the social protection system through the establishment of an Agency for Social Monetary Compensation (ASPN), which will carry out expert, organizational, administrative and other operations pertaining to social financial welfare. ASPN will establish a single professional service with regional units (CSFBs) that will be established for the territory of one or more municipalities (29 across Macedonia and 10 in Skopje);
- Terminating the obligation for monthly reporting to CSFB by users of social welfare benefits;
- Consideration of the possibilities for reducing the cost of issuing personal documents and documents necessary for obtaining the social financial benefits in cooperation with the relevant institutions.

The Law on Social Protection provides for various types of social services, categorized into two major groups: institutional and non-institutional. There are no services specifically designed for returnees or services that returnees would have priority access to in comparison to other citizens.

It can be concluded that the social protection of Roma returnees is mainly accomplished through financial transfers, and to a lesser extent in the form of services and support for their empowerment strengthening and for encouraging their psycho-social well-being. The fact, however, that the amount of financial allowance is low, means that they do not offer a good basis for full and active involvement of returnees in the community and in the society as a whole.

74 Article 3, Article 11 and Article 12 from the Law on Social Protection.

75 Statement of an interviewed person.

76 National Program for Development of Social Protection 2011-2021, accessed on: 09.10.2017.

Healthcare

“When I returned, my healthcare started deteriorating again... I'm thinking of going back to Germany”.⁷⁷

„The citizens of the Republic of Macedonia are equal in their freedoms and rights, regardless of their sex, race, skin color, national and social background, political and religious beliefs, as well as their material and social status. Every citizen is guaranteed the right to healthcare, as well as the right and duty to preserve and advance his/her own health and the health of others”.⁷⁸

The health issues of the citizens of Macedonia are regulated by the Constitution of the Republic of Macedonia, international acts, the Law on Health Care,⁷⁹ the Law on Health Insurance,⁸⁰ by-laws and other legal regulations, as well as by public policies. Setting off from the abovementioned constitutional provisions, Article 2, paragraph 2 of the Law on Health Insurance stipulates that “compulsory health insurance is established for all citizens of the Republic of Macedonia”.⁸¹ Article 5 lists the grounds on which a person may become a compulsory user of health insurance. The recipients of social financial assistance and their families are health insured (Article 5, item 9), but even more importantly, this article stipulates universal health insurance, i.e. health insurance for all the citizens of the country.⁸²

The citizens who earn incomes exceeding a certain amount are obliged to contribute, that is, to pay in full the contribution for compulsory health insurance, in accordance with the Law on Contributions from the Compulsory Social Insurance.⁸³ The Health Insurance Fund makes the calculations for each year separately, applying the following ones for 2017:⁸⁴

- If the annual income of a family is up to the amount of MKD 120,960, the health insurance contributions of the persons are paid from the state budget;
- If the annual family income is within the amount of MKD 120,961-197,262, then the person covers a part of the contributions for the compulsory health insurance, whereby 50% of the average monthly salary in the country for the ongoing year is taken as a basis, which is approximately 1,200 denars per month;⁸⁵
- if the annual income of the family exceeds 197,262 denars, then the person is obliged

77 Statement of a participant in a focus group.

78 Article 39 from the Constitution of the Republic of Macedonia.

79 Law on Healthcare, Official Gazette of RM no. 43/2012, 145/2012, 87/2013, 164/2013, 39/2014, 43/2014, 132/2014, 188/2014, 10/2015, 61/2015, 154/2015, 192/2015, 17/2016 and 37/2016.

80 Law on Health Insurance, Official Gazette of RM, no. 25/00, 34/00, 96/00, 50/01, 11/02, 31/03, 84/05, 37/06, 18/07, 36/07, 82/08, 98/08, 6/09, 67/09, 50/10, 156/10, 53/11, 26/12, 16/13, 91/13, 187/13, 43/14, 44/14, 97/14, 112/14, 113/14, 188/14, 20/15, 61/15, 98/15, 129/15, 150/15, 154/15, 192/15, 217/15, 27/16, 37/16, 120/16 and 142/16.

81 Law on Health Insurance, Official Gazette of RM, no. 25/00, 34/00, 96/00, 50/01, 11/02, 31/03, 84/05, 37/06, 18/07, 36/07, 82/08, 98/08, 6/09, 67/09, 50/10, 156/10, 53/11, 26/12, 16/13, 91/13, 187/13, 43/14, 44/14, 97/14, 112/14, 113/14, 188/14, 20/15, 61/15, 98/15, 129/15, 150/15, 154/15, 192/15, 217/15, 27/16, 37/16, 120/16 and 142/16.

82 Article 5, item 15 of the Law on Health Insurance prescribes mandatory health insurance for every “citizen of the Republic of Macedonia who is not necessarily insured pursuant to any of the items 1 to 14 of the present Article”.

83 Law on Contributions from Mandatory Social Insurance, Official Gazette of the RM, no. 142/08, 2/2009, 64/09, 156/09, 166/10 53/11, 185/11, 44/12, 15/13, 91/13, 170/13, 97/14, 113/14, 180/14, 188/14, 20/15, 48/15 година, 12915, 217/15 and 190/16.

84 Fund for Health Insurance, Table with the limits to the income realized in the family according to which the citizens with low income can apply for health insurance and the obligation for payment of the health insurance contribution accessed on 09.10.2017

85 As an exception, if the total family income does not exceed 20,160 MKD for the last two months, then the contribution for health insurance is paid from the budget.

to pay the contributions for compulsory health insurance, whereby 100 percent of the average monthly salary in the country for the ongoing year, or approximately 2,400 denars per month, is taken as a basis.

It is worth mentioning that from 2015 onwards, citizens are not obliged to register with the Health Insurance Fund of Macedonia (HIF) for re-registration as health insurance users based on unemployment. This obligation is now mandatory only for those who register in the fund with this status for the first time. For those who have already registered over the course of the previous years, now the HIF, by line of duty, determines the category of the person and automatically prolongs his/her compulsory health insurance until the following year, on the basis of the electronically obtained data on the income of the person from the Public Revenue Office. This solution enables Roma traveling to the EU as asylum seekers to more easily retain the status of a health insured person, especially when it comes to stays abroad for a duration shorter than one year.

In practice, Roma returnees face the challenge of getting health insurance and thus accessing the public health system. The survey found that many Roma returnees are entitled to health insurance at the expense of the state, but have insufficient knowledge of their rights in the area of health care and insurance, which contributes to the poor health status of the Roma population. On the other hand, in practice, there is unequal (discriminatory) treatment in access to health care, as well as a violation of the right to health and the right to healthcare. Some Roma returnees give up on obtaining the right to primary health care, thus jeopardizing their health and the health of their loved ones.

The program for assistance and support for reintegration of returnees in the Republic of Macedonia according to the readmission agreements, in the field of health care, considers “the possibility of providing a basic health care package for returnees in cooperation with the Ministry of Health (MOH) and the Health Insurance Fund for a short-term period not exceeding 60 days”.⁸⁶ The expectation is that returnees would become beneficiaries of the social protection system within the stated deadline and would continue to regulate their health insurance on that basis. Moreover, it is also envisaged that “an insight into the general health status of returnees and their family members will be carried out at the time of their admission to the reintegration centers”.⁸⁷ These measures have, however, not been implemented.

Some Roma returnees face difficulties related to them not having birth certificates and/or personal documents:

*“My child is not insured because I don't have a birth certificate, I don't have a healthcare card. I can't even take her to the doctor's, I need to pay for it from my pocket”.*⁸⁸

*“My wife is from Serbia, her passport has expired and now she has no documents at all. We have a marriage certificate, but her Serbian passport was valid back then... She now has no insurance, no documents, she's sick and can't go to the doctor's”.*⁸⁹

86 Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with readmission agreements, available at the following link, accessed on: 09.10.2017.

87 Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with readmission agreements, available at the following link, accessed on: 09.10.2017.

88 Statement of a participant in a focus-group.

89 Statement of a participant in a focus-group.

This situation, paired with the lack of knowledge about the legal framework in the field of health insurance, prevents Roma returnees from taking advantage of those rights available to them, such as the right to the free immunization of children.⁹⁰ A representative of a civic organization working with Roma-returnees suggests that returnees who travel with their entire family, including young children, often neglect or miss the compulsory vaccination of children:

*“They neither keep up with the changes, nor keep their documents, they have no idea how important vaccines are. Especially with all the travels, the moving around... Rarely does a child get all the necessary vaccines, although it’s totally free”.*⁹¹

The health care for pregnant mothers and infants up to 1 year of age is also free of charge for all the citizens, regardless of whether the mother has health insurance or not, with regard to several basic health services: spontaneous delivery or C-section, specialist medical examinations of infants, orthopedic medical examinations and ultrasound of infants and hospital treatment or stay of infants up to one year of age.⁹² The government, adopts the program on an annual basis, and the funds for covering the co-payment are provided from the state budget and the Ministry of Health. However, the research found that Roma returnees were not familiar with these benefits. On the contrary, one of the Roma organizations involved in the survey informed us that there was a case when a Roma returnee gave birth in a hospital using someone else’s health card, which then caused the family to troubles with the registration of the child in the birth registry:

*„They thought that they would have to pay, so the mother gave birth in a hospital, using someone else’s healthcare ID. Now the parents are unable to register the child as theirs in the birth registry. We’ll see what we’ll do next”.*⁹³

The example of a Roma-returnee who did seasonal agricultural work, together with a group of other people who he himself recruited from the Roma community, is another case that serves to show the lack of information regarding the rights to healthcare. He agreed to have all the money for the entire group deposited on his account, and then to distribute the money to his co-workers. The competent authorities registered the transaction and a representative from the Health Insurance Fund contacted the person and asked them to pay the contributions for the compulsory health insurance in accordance with the aforementioned criteria from the Law on Contributions from Compulsory Social Insurance. The help from the Roma health mediator helped him explain the situation and retain the status of a person for whom the health insurance contributions are settled by the state:

*“I was leading a group of cherry-pickers and in order for the others not to lose their social welfare, I received the money for everyone, which were deposited on my own account. When my daughter gave birth, they asked me for 300 EUR for healthcare, because I had more money in my account than allowed, although that money was not for me. N.N. (note: a Roma healthcare mediator and civil activist) arranged things for me, otherwise everything would have gone out the window”.*⁹⁴

90 In accordance with the Strategy for Immunization of the Republic of Macedonia 2012-2020 the finances for the immunization system are provided from the Health Fund of the Republic of Macedonia and the Ministry of Health; accessed on: 9.10.2017.

91 Statement of an interviewee.

92 Program for participation in the citizens’ use of healthcare for certain diseases and healthcare of pregnant women and infants in the Republic of Macedonia, for 2017, accessed on: 09.10.2017

93 Statement of an interviewee.

94 Statement of a participant in a focus group.

This and similar statements serve to affirm the importance of free paralegal assistance and support that Roma returnees receive from Roma healthcare mediators. Roma healthcare mediators are contracted by the Ministry of Health “to overcome the barriers in the communication between the Roma population and the healthcare workers, identify individuals and families who do not have access to healthcare through field visits and inform them about the access to healthcare and health insurance, as well as about the availability of free health services provided in the preventive and curative programs of the Ministry of Health for the promotion of the overall healthcare of the Roma”.⁹⁵ In the last quarter of 2017, there are available Roma healthcare mediators in the public health centers (dispensaries) in several municipalities: Shuto Orizari, Karpos, Gjorce Petrov, Gazi Baba, Tetovo, Gostivar, Kocani, Stip and Delcevo.

We should also mention that similar support is available to Roma returnees from Roma information centers and from civil society organizations. According to a statement of a representative of the Roma Information Center, Roma returnees often turn to them for health insurance issues:

*“There is no healthcare mediator in our place, there used to be, but the person quit, and hasn't been replaced. Now we often get questions regarding healthcare and health insurance because the returnees don't know where else to go, or get someone to help them. Or they go to the civil society organizations in the city, and there they help them as much as they can”.*⁹⁶

One inconvenience arising from the legal framework, that the Roma Civil Associations involved in the research raised the alarm about, is the fact that in order to get a free orthopedic aid of any kind, the person in question must have had active health insurance for at least six continuous months before the request was submitted, with the exception of cases of injury at work and occupational diseases.⁹⁷ This decision may be considered an aggravating circumstance for returnees who have lost their insurance status during their stay abroad (or had never acquired this status at all), and are in need of an orthopedic device, a need which may have occurred while they were abroad.

It should be noted that the beneficiaries of social financial assistance are exempt from the obligation to contribute their personal funds when using health services and medicines (so-called participation in the amount of 20 percent of the price of the healthcare service i.e. the medicine), “except for the medicines from the list of drugs issued on prescription in primary care and treatment abroad”.⁹⁸ In addition, the law exempts from the obligation to contribute those insurance users who, during one calendar year, paid co-payments for specialist services and hospital treatment totally more than 70 percent of the average monthly salary in the previous year.⁹⁹ There remains a possibility for the HIF to determine a lower amount, or exemption from participation for insurance users who earn a family monthly income below the average salary in the country from the previous year.¹⁰⁰ Pursuant to the decision determining the amount of the insured persons' share in the total costs of health services and medicines, the threshold is:¹⁰¹

95 Information of the Ministry of Health, available at the Ministry web-site, accessed on: 09.10.2017.

96 Statement of an interviewee.

97 Article 9, paragraph 3 of the Law on Health Insurance.

98 Article 34, paragraph 1, indent 3 of the Law on Health Insurance.

99 Article 34, paragraph 1, and indent 4 of the Law on Health Insurance.

100 Article 34, paragraph 2 of the Law on Health Insurance.

101 Decision on determining the level of participation of users of insurance in the total costs of health services and medicines, Official Gazette of the Republic of Macedonia no. 95/11 (consolidated text), 20/12, 26/12, 54/12, 98/13, 138/14 and 156/14.

- 40 percent of the average net salary (approximately 9,200 MKD) for insurance users whose family monthly income does not exceed the average net salary in the state for the previous year; and
- 20 per cent of the average net salary (approximately 4,600 denars) for insurance users whose family income does not exceed 60 per cent of the average net salary in the state for the previous year.

In simple terms, insurance users with lower family incomes do not pay more than 4,600, i.e. 9,200 MKD depending on their income, for medical treatment and services by medical specialists over the course of one calendar year. Citizens who fulfill the required conditions need to submit their fiscal accounts to the Health Insurance Fund of the Republic of Macedonia in order to get a certification of exception, i.e. refunding of the payment, if they have already paid.

The research did not identify Roma returnees who had exercised this right, or who were aware about it. To the contrary, there were complaints that the healthcare services were expensive:

Even if you have a healthcare ID, they give you a referral note, they send you to one, then another doctor, at the clinic... And all you'll do is sit and wait and they take your money. And if you're sick, you need to take a cab, you can't take the bus, or ask your kids to drive you around. It's no use here, even if you have a health ID, you can't get treatment".¹⁰²

Roma returnees who started a certain treatment abroad that needs to continue after their return are faced with difficulties in ensuring fast and easy continuation of the treatment in Macedonia. Apart from the issue of health insurance that some returnees are facing, as elaborated upon above, there is also a request for these people to submit an official (certified) translation of the documentation related to their health condition, which was issued to them in the foreign country. Without a court-certified translation, the returnees are asked to re-run their tests in the Macedonian healthcare institutions. Both options are associated with high costs and require time.

"My youngest daughter was taking a hormone therapy, how do I put it, she's not even five, and without the hormones she could turn into a big girl. She has to continue with it now. But here they tell me "give us a translation, go, take the tests"... I tell them "We did everything here, why should we do it again?" Where can I find the money? That's all they want, to take your money... We're lucky because the doctor there gave us some extra medicine before we left, just in case... Now, another doctor here told me he would give us the medicines, so let's see what comes out of it..."¹⁰³

"I need to continue with the treatment here, but they are asking me for a translation. A neighbor knows the language and I tell them "here, he can translate", but, no, they want court-certified translation".¹⁰⁴

Инаку, неколкумина Роми - повратници вклучени во истражувањето посочија дека обидот да ја подобрат сопствената здравствена состојба бил главниот мотив за барањето азил во ЕУ. Следниот исказ на еден Ром повратник го илустрира тоа најдобро:

¹⁰² Statement of a participant in a focus-group.

¹⁰³ Statement of a participant in a focus-group.

¹⁰⁴ Statement of a participant in a focus-group.

*“I was suffering from a cardiovascular problem, I was supposed to have an operation, but I did not have money, the expenses were too high. There was no way out, I didn’t know what to do. I found out from people that asylum seekers don’t pay for health services abroad. I decided to go to Germany to seek asylum only to get an operation. I was operated on and I was fine, as long as I was in Germany. I received therapy and medication without having to pay. But I had to go back, I had no reason to stay. When I returned, my health deteriorated. I was supposed to continue with the therapies and medicines prescribed by the doctors in Germany. I had many medical documents in German that needed to be translated so that I could continue the treatment here. The translations are expensive and I could not pay them. I am thinking of returning again and seeking asylum in Germany”.*¹⁰⁵

Consequently, we can draw a conclusion that improving the healthcare and the access to healthcare services may significantly enhance the reintegration of Roma returnees in the Macedonian society.

Education

“Everyone has the right to education. Education is available to everyone under equal circumstances”.¹⁰⁶

According to the Program for assistance and support for reintegration of returnees in the Republic of Macedonia according to the readmission agreements,¹⁰⁷ providing access to educational services and opportunities in Macedonia is a very important element of the reintegration of returnees, both for children and for adults. The document foresees the scanning of educational status upon the receipt and registration of returnees and their family members in the envisaged centers for reintegration. This data should be input into the database, which would provide insight into the returnee’s education profile. On the other hand, the program envisages informing the families about the possibilities for improving the education of all family members, such as: returning children to primary and secondary education, completing missed degrees of education for adults, informing people of and referring them to opportunities for inclusion in higher education programs, including adults in adult education, non-formal education and computer courses, and support in the nostrification and recognition of diplomas, acquired titles, etc.

Unfortunately, this broad scope of measures envisaged in the program has not been implemented well, and Roma returnees do not receive systemic support to promote their education or the education of their family members. They often face difficulties in ensuring that their children continue with the compulsory levels of education, while the other opportunities seem to be used by an exceptionally low number of individuals.

Pre-school education in Macedonia is not mandatory - parents are not obliged, but have the chance to enroll their children in a pre-school (kindergarten) or an early childhood development center. According to the data from the State Statistical Office,¹⁰⁸ in 2016 in Macedonia there was a total of 64 public institutions providing care and education to children - kindergartens and one early childhood development center as public legal entities. In the absence of an exact number of Roma returnees, there is no data on how many of their children have been included in pre-school education. The Roma-returnees whose children go to kindergarten or visit an early childhood development center were not identified through the focus groups.¹⁰⁹

Public kindergartens register children on the basis of applications submitted throughout the year. Article 60, paragraph 8 of the Law on Child Protection¹¹⁰ states that in order to register a child in a kindergarten, parents should provide a certificate from a GP on the health status of the child, i.e. a finding and opinion of a competent professional institution for a child with mental disabilities or physical disabilities. In practice, the enrollment procedure differs from one kindergarten to another - some require that they be provided with a birth certificate and a copy of the identity card of one or both parents.

106 Article 44 of the Constitution of the Republic of Macedonia.

107 Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with readmission agreements, available at the following link, accessed on: 09.10.2017.

108 Institutions for care and education of children - kindergartens - early childhood development centres, State Statistical Office of the Republic of Macedonia 2016c accessed on: 09.10.2017

109 In contrast to this, in two of the five focus groups that were held, there were mothers who had come with their babies or small children, because, as one of them explained “there’s nowhere to leave them”.

110 Law on Child Protection, Official Gazette of RM no. 23/13, 2/2014, 44/2014, 144/2014, 10/2015, 25/2015, 150/2015, 192/2015 and 27/2016.

A monthly fee¹¹¹ (subsidized by the state) is paid to the kindergartens, which contributes to the low attendance of children from the Roma community in kindergartens. According to the Index of Inclusion of Roma 2015, 38% of Roma children attended kindergarten versus 57% of the children from the general population (the data refers to 2014) .¹¹² In response to this situation, the MLSP, in cooperation with the Roma Education Fund of Budapest, local self-government units, as well as partnering Roma civic organizations, has made attempts to increase the number of Roma children in pre-school institutions as part of the commitments in the National Strategy for the Roma in the Republic of Macedonia 2014-2020.¹¹³ According to the strategy, between 400 and 450 children from the Roma community have been admitted to kindergartens in 20 municipalities across the country within this measure. According to the National Program for the Adoption of the Acquis of the European Union (NPAA), the 2016-2018,¹¹⁴ revision, 650 Roma children were planned to be reached and included in the school year of 2015/16. According to the MLSP, 82% of Roma children who attended kindergarten enrolled in primary school.¹¹⁵ There is no data as to how many of those children were the children of returnees.¹¹⁶

The Early Childhood Development Centers are another form of childcare that, unlike kindergartens, allow children to stay for several hours a day, without providing food. The stay in the centers is supposed to be free and to offer support for the development of abilities and for improving the knowledge of the child, on the one hand, and to allow parents to complete certain chores, on the other.

Moreover, the National Strategy for Reduction of Poverty and Social Exclusion in the Republic of Macedonia 2010-2020 provides for a special measure for “providing financial means for compulsory inclusion of Roma children and children from other socially endangered families in the public preschool institutions”.¹¹⁷

None of the listed documents gives any emphasis to Roma returnees as a special category of beneficiaries of the measures encouraging the involvement of Roma children in the pre-school education system.

Primary¹¹⁸ and secondary¹¹⁹ education is compulsory in Macedonia. However, the educational structure of the Roma community is unfavorable and is below the national average. According to the situation in 2014, 73 percent of Roma children complete primary education versus the average of 96 percent of the total population. The gap is even higher in secondary education, where only 12 per cent of Roma children and youth graduate, as opposed to the national average of 60 percent.¹²⁰ A similar situation can be found in the survey of the civic organization National Roma Center from Kumanovo, conducted in the period August - September 2015:

111 In the amount of 1500 MKD.

112 Roma Inclusion Index 2015, Decade of Roma Inclusion Secretariat Foundation, accessed on: 09.10.2017.

113 Roma Strategy of the Republic of Macedonia 2014-2020, accessed on: 09.10.2017.

114 National Program on the Adoption of the EU Acquis, revised 2016-2018, p.31, accessed on: 09.10.2017.

115 Information on MLSP's web-site, accessed on: 09.10.2017.

116 At the time of drafting of this report (October 2017), MLSP launched a call for selection of local mediators in the project “Inclusion of Roma children in Pre-school Education”, which is an additional measure for increasing the coverage of children from the Roma community in pre-school education.

117 National Strategy for Reduction of Poverty and Social Exclusion in the Republic of Macedonia (revised 2010-2020), accessed on: 09.10.2017

118 Article 41, paragraph 3 of the Constitution of RM.

119 Article 3, paragraph 1 of the Law on Secondary Education, Official Gazette no. 44/1995, 24/1996, 34/1996, 35/1997, 82/1999, 29/2002, 40/2003, 42/2003, 67/2004, 55/2005, 113/2005, 35/2006, 30/2007, 49/2007, 81/2008, 92/2008, 33/2010, 116/2010, 156/2010, 18/2011, 42/2011, 51/2011, 6/2012, 100/2012, 24/2013, 41/2014, 116/2014, 135/2014, 10/2015, 98/2015, 145/2015, 30/2016, 127/2016 and 67/2017.

120 Roma Inclusion Index 2015, Decade of Roma Inclusion Secretariat Foundation, accessed on: 09.10.2017.

- 6.8 per cent have not completed any degree of formal education;
- 15.3 percent of Roma have completed the fourth grade of elementary education;
- 39.4 percent of Roma have completed their primary education;
- 7.1 per cent have completed a three-year secondary education;
- 8.2 percent have completed a four-year secondary education;
- 0.3 per cent have graduated with three years of higher education;
- 1.1 per cent have completed university education; and
- 0.5 per cent are in the process of studying at university.¹²¹

In the absence of official data on the educational structure of Roma returnees, it is very likely that it is not very different from the educational structure of the Roma community as a whole.

The legal framework for primary education is stipulated by the Law on Primary Education.¹²² Article 7, paragraph 2 of the Law states that “primary schools are obliged to help the children of citizens who have resided abroad and have returned to the Republic of Macedonia where they start or continue their primary education, learn their mother tongue.” The next paragraph 3, specifies this right by obliging the schools to organize “individual and group additional classes in order for these children to learn the mother tongue and catch up on the knowledge in certain subjects.” Such support can last up to a maximum of one year (Article 7, paragraph 5).

This legal solution poses an excellent opportunity for the inclusion of children of returnees in the education system in the country, even in cases when those children do not know Macedonian, i.e., the language of instruction in the school in which they are enrolled. But, in practice, these provisions do not seem to apply. The research did not find that this type of teaching was organized in any of the primary schools (in the five cities where it was conducted). According to the interviewed elementary school representative, this possibility has not been implemented because the schools do not have spatial capacity or adequate human resources:

*“We have neither the teachers, nor the space for something like that... In fact, most of the returnees’ children do not really stay abroad that long to forget the language. Some of them have difficulties with their Macedonian, but it is not so much due to the absence during the asylum-seeking, but because it is so in the community here”.*¹²³

Consequently, despite the legal conditions, the children of Roma returnees in Macedonia are not given the envisaged support in order to engage in or continue with their education. The fact that the number of child returnees in schools is not monitored hampers the systemic approach to this issue, even within a school which has the legal possibility to request funds and conditions from the Ministry of Education and Science (MES) to organize additional classes:

*„Не знаеме точно колку деца се повратници, има многу. Некои одат и се враќаат по два или трипати во текот на школувањето. Не водиме таква евиденција, училиштата не се обврзани да ги следат тие податоци, ама ги знаеме децата.”*¹²⁴

121 Report on the assessment of the situation in the field of employment, housing, education and health in the Roma community of the Republic of Macedonia, August-September 2015, National Roma Center.

122 Law on Primary Education, Official Gazette of RM no. 103/08, 33/10, 116/10, 156/10, 18/11, 42/11, 51/11, 6/12, 100/12, 24/13, 41/14, 116/14, 135/14, 10/15, 98/15, 145/15, 30/16, 127/16 and 67/17.

123 Statement of an interviewee.

124 Statement of an interviewee.

The experiences of some of the returnees regarding the primary schools in their communities are positive - they believe that the school shows an understanding of their children. In doing so, it appears that schools use informal and un-systematized ways to support returnee pupils:

*“The school has an understanding of our children, they’re trying to help them, take them back without problems. My granddaughter was absent for about three months, and they took her back in the same class, so that she would not have to lose a year. It was difficult for her, but the teachers were very understanding, they helped her. Otherwise she would have had to take it twice”.*¹²⁵

Reinforcing the interpretation that schools do not apply a systemic approach, some of the Roma returnees complained of negative experiences while attempting to take their children back to primary schools. An example which refers to the same school from the quotation above is quite illustrative:

*“We’re full”, they told me, and they sent me to another school, which is not very close, and how could I send my child across half the city just to get to school.... They don’t like us Roma, that’s why they told me that”.*¹²⁶

There are similar conclusions in the publication “Roma Activists for Informed and Effective Roma Integration Policies” from the Foundation Open Society - Macedonia,¹²⁷ which states that the approach to this issue should be based on official data from institutions regarding the number of child returnees, their inclusion in regular education, their age and the grade they are attending etc., instead of the current approach of having each school taking measures regarding this issue as it sees fit.

Although secondary education, as stated above, is mandatory, there are no similar provisions in the Law on Secondary Education that would encourage the inclusion of children - returnees in secondary education. Similarly, the National Action Plan for Education 2016-2020 envisages the development and implementation of a program for reintegration of Roma students in primary education, but not in secondary education.¹²⁸ envisages the development and implementation of a program for reintegration of Roma students in primary education, but not in secondary education.

A significant impediment to the inclusion of child returnees in the education system is the question of nostrification and verification of documents for completed education abroad. In fact, with the summary procedures for the examining of asylum applications, some of the children of asylum seekers, although included in the education system in the foreign country, return before they complete the school year and do not receive a certificate or diploma. In cases when the stay lasts for a longer period of time and the children and youth receive certificates and diplomas for completed education, such documents must be validated. The procedure for nostrification can last up to several months and costs 2,250 MKD per diploma or certificate of primary education, or 3,250 MKD per diploma or certificate of secondary

125 Statement of a participant in a focus-group.

126 Statement of a participant in a focus-group.

127 “Children of Roma Returnees and their Constitutionally Guaranteed Right to Education” by Zh. Durmish and A. Mitkovski (publication, Roma Activists for Informed and Effective Roma Integration Policies, Foundation Open Society Macedonia).

128 Roma Strategy of the Republic of Macedonia 2014-2020; National Action Plan for Education, accessed on: 09.10.2017.

education. Because of this (and because they still do not have enough information about the procedure), the majority of Roma returnees do not start the nostrification procedure at all. For these two main reasons, the largest number of child returnees return to the same grade or secondary school year that they were in before leaving the country, without having their education abroad taken into consideration.

*“They immediately sent the children to school there. They asked us which grade they were and they didn’t ask for any documents... When we came back, I had no certificate of completed education for the child and they sent him back to fifth grade”.*¹²⁹

It is also worth mentioning that some of the parents are not sufficiently aware of the importance of education and the documents related to education:

*“My son studied in Germany for two years, but when they deported us we didn’t have the time to look for the documents, we lost them. Now he’s not going to school, because he would have to start over, they do not recognize the education he got there”.*¹³⁰

Some of the young Roma are discouraged from getting involved in the educational process and focus on the desire to go back abroad again, although they seem to be guided more by hopes and desires than by precise and accurate information:

*“I studied there, in the few years we spent there I learnt French, the school was great. I don’t go to school here, when I turn 18 I’ll be able to go back to Belgium. I’ll be able to do so, because that’s where I started school”.*¹³¹

An important measure for encouraging secondary education is the conditional monetary compensation program of the Ministry of Labor and Social Policy, which can be used by families (households) who use social financial assistance or whose right to social financial assistance is on hold and who have a child or children enrolled in high school.¹³² An additional requirement is that the student must not be a beneficiary of a child allowance. The amount of this monetary compensation is 12,000 denars per school year, provided that the student attends at least 85 percent of the realized school hours in the current quarter. This measure was envisaged in the National Strategy for Reduction of Poverty and Social Exclusion in the Republic of Macedonia 2010-2020, because, although free of charge, secondary education is not accessible to all under equal conditions, due to the poor geographical accessibility, i.e. the limited network of high schools

Other measures that encourage inclusion in secondary education are: scholarships available to Roma students along with tutoring and mentoring programs which are implemented by the Office for Development and Promotion of Education in the Languages of Community Members under the MES. They also have textbooks provided by the state,¹³³ and transport and accommodation in student dormitories, under the same conditions as all other students. However, it should be noted that only a small part of the participants in the focus groups had been introduced to or had used any of the benefits for improving the inclusion of Roma in

129 Statement of a participant in a focus group.

130 Statement of a participant in a focus group.

131 Statement of a participant in a focus group.

132 FAQs related to the conditional financial allowance, accessed on: 09.10.2017

133 The government provides the textbooks for all the children in primary education.

secondary education (this may also be due to the fact that a minor part of the participants in the survey had children at secondary school age).

On the other hand, not a single Roma returnee included in the research said that he or she or a family member had been involved in higher education or that he/she was interested in getting involved or being a beneficiary of a MES scholarship for Roma who are regular university students. Moreover, the Roma returnees included in the research were not familiar with the opportunities for adult education or for non-formal education.

Employment

“We go abroad because there are no jobs for us here”.¹³⁴

The Constitution guarantees “the right to work, free choice of employment, protection at work and material security during temporary unemployment”.¹³⁵

Despite the constitutional commitment to the availability and the right to work for all, the Roma face double the rate of unemployment of the general population. According to the Roma Inclusion Index,¹³⁶ 41 per cent of Roma were found to be long-term unemployed in 2014 (54 per cent of Roma women), while the country’s average was 20 per cent. The United Nations Development Program (UNDP) found that the overall unemployment rate in the country in 2011 was 27 percent, while this percentage among the Roma population was as high as 53 percent.¹³⁷ One of the key reasons for the “relatively poor employment opportunities for Roma is their low level of education”,¹³⁸ but the study also points to the existence of discrimination and in particular a “lack of interest among company managers to improve the situation of Roma on the labor market”.¹³⁹

Based on this situation, the Program for Assistance and Support for the Reintegration of Returnees in the Republic of Macedonia according to the readmission agreements assessed that the integration of Roma in the labor market is “of crucial importance”.¹⁴⁰ The measures envisaged include: reporting of returnees in EARM in order from them to exercise the benefits provided for unemployed persons; informing them about the active measures, the possibilities for self-employment and the available loans; preparation of individual employment plans for each registered returnee; organizing workshops for job search skills and soft skills; and inclusion of returnees in the trainings organized by EARM etc. These program activities have not been implemented well.

Hence, it is not surprising that there is no statistical data on unemployment among Roma returnees.

An exceptionally low number of Roma-returnees involved in the research as returnees or interviewees informed us that they had a job. Nearly all of them had gone back to the jobs they had before leaving:

*“I went back to work in my uncle’s textile factory”.*¹⁴¹

*“I am a local associate of X (civil society organization). It was a bit hard to get back there, because I didn’t tell them on time when I was leaving, but it’s all well now, because they took me back”.*¹⁴²

134 Statement of an interviewee.

135 Article 32, paragraph 1 of the Constitution of the Republic of Macedonia.

136 Roma Inclusion Index 2015, Decade of Roma Inclusion Secretariat Foundation, accessed on: 09.10.2017

137 Regional research on the Roma communities in 2011, carried out by UNDP and World Bank, the data on Macedonia is available on the following link accessed on: 09.10.2017.

138 O’Higgins, Neil, “Roma and Employment in the Republic of Macedonia”, MLSP and UNDP, Skopje, 2014, accessed on: 09.10.2017.

139 O’Higgins, Neil, “Roma and Employment in the Republic of Macedonia”, MLSP and UNDP, Skopje, 2014, accessed on: 09.10.2017.

140 Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with readmission agreements, available at the following link, accessed on: 09.10.2017.

141 Statement of a participant in a focus group.

142 Statement of an interviewee.

"I'm working as a cleaner in a private clinic. I was there before I left. I have connections there – my family knows the owner, that's why they took me back".¹⁴³

Without pretending to draw precise statistical indicators, these experiences clearly indicate that the positive examples are based on personal acquaintances with the employers of Roma returnees. The survey did not encounter data regarding returnees who found a job as a result of the support or mediation in employment by the competent public institutions or civil society organizations.

The vast majority of Roma returnees covered by the survey are engaged in informal activities such as: waste collection, occasional physical work, cleaning individual homes, construction and craft jobs, resale and retail trade, taxi services, seasonal agricultural work, etc. Some of the typical responses include:¹⁴⁴

"I collect plastic bottles."

"I collect clothes from dumpsters and sell them at the flea market".

"I am a taxi-driver. No, I'm not registered".

"I pick cherries, it's cherry season now. Otherwise, whatever comes my way, I have to make a living out of something".

"I clean houses."

The Law on Employment and Insurance in the Case of Unemployment¹⁴⁵ lays down the basic legal framework in this area. The law distinguishes between active jobseekers (called "unemployed persons" in the law) and unemployed persons who are not actively seeking a job (called "other person seeking a job") and stipulates rights and obligations for the two categories. The crucial difference between the two categories that the law recognizes that access to the active employment measures and employment services of the EARM is only available to the active job seekers.¹⁴⁶ The active employment measures and services include:

- development of entrepreneurship;
- subsidized jobs;
- trainings (including internships);
- community work; and
- employment services.¹⁴⁷

143 Statement of a participant in a focus group.

144 Statements from participants in focus groups.

145 Law on Employment and Insurance in case of unemployment (Official Gazette of the Republic of Macedonia no. 112/2015, consolidated text).

146 Who, as elaborated in the section on social protection, have a monthly obligation to report to the EARM for the purpose of extending the status, unlike persons with status of "other person seeking employment" who have an obligation to apply to the ESA once every six months

147 Operational plan for active programs and measures and services on the labor market for 2017, accessed on: 09.10.2017.

The implementation of active measures and employment services falls under the competence of EARM, which publishes public calls for interested candidates to apply and participate in the active measures in the employment centers.

It should be noted that some of the returnees expressed very restrained expectations regarding the possibility of gaining employment with the support of EARM. A small proportion of them have not even registered themselves as active job seekers at all, because they receive social financial assistance through another family member, that is, the household, and are convinced that they have no chance of becoming employed through registering, despite the obligation to report to the centers for employment on a monthly basis. The information is at a very low level: Roma returnees included in the survey were nearly completely uninformed about the possibilities offered by the active employment measures:¹⁴⁸

“The only way to get a job in this country is by joining a political party”.

I'm not registered, who'd take me? I am 54 years old and I have nearly 25 years of service, I'm left on my own until I qualify for old-age pension”.

“I can't waste my time getting registered, and then invited to some training or another, although it's never my turn to get the job. This way they are at least not bothering me, I can't be bothered for nothing”.

“All they do is talk, on TV shows. There are jobs for the others, not for the Roma. I report (note: to EARM) only for social welfare”.

Some of the more characteristic programs that Roma returnees are eligible for, are the following:

The self-employment program aims to support the unemployed - active job seekers who want to start their own businesses. In order to be able to realize their business ideas, this program offers them free training, advisory support and financial support for procurement of equipment or materials. In order to use the measures from this program, the interested persons should apply with a statement and a filled in questionnaire in the employment centers. Then, with advisory support, they can translate their idea into a business plan, for the realization of which the applicant may receive up to 4,000 EUR, if she/he successfully passes the multi-phase selection. The advisory support provided by the Employment Center also continues after the business is registered.

According to the interviewed representative of EARM, there is no great interest among the Roma for this measure, although some of them deal in retail. She also proposes allowing the grant to be used for the working capital of the firm, to encourage self-employment and opening up businesses in the area of commerce, as well as to increase the amount of funds allocated:

“We haven't had any Roma apply for the self-employment program at our center. There was one, dealing in trade who came to inquire, but did not apply. Opening a company scares them a little, it entails responsibility, there are costs associated with running a company, accounting,

148 Statements of participants in focus groups and an interviewed person.

taxes, and if things don't work out, you even need money to quit ... Actually, the program is not meant for trading. What equipment, what materials, in terms of raw materials, do you need for trade? You need working capital, but the grant cannot be used for that. If there is a change here, it may be more appropriate for the Roma, for those dealing in retail. And I think that the amount of the grant needs to increase. However, it takes more money to start a business".¹⁴⁹

On the other hand, it seems that some of the Roma returnees themselves are skeptical when it comes to the possibility of using state funds for self-employment or starting a company, which once again indicates a lack of information, no confidence in the system, as well as lack of self-confidence:

"No way I'm using those "subsidies", you only get stuck with debts, inspections..."¹⁵⁰

There is a special Program for self-employment of persons with disabilities, intended for persons with physical and intellectual disability who would like to start their own businesses. The grant that can be obtained on the basis of this program is 270,000 MKD, and if the founder hires other people too, he may receive additional 92,000 MKD of subsidy per employee, but not for more than two employees. The Employment Centers provide support through training, advice and consultations, if the candidate successfully passes the planned multi-phase selection.

In the section "Subsidized Jobs", Roma - returnees who are active jobseekers may take part in the Conditional Financial Allowance Program for subsidized employment of persons in social risk, given that the Roma are among the vulnerable groups of people for which it is designed. This program provides financial support to employers who hire a person - a member of a social risk group, but also to the employed person himself/herself, for a period of six months. The employer has an obligation to keep the person at work for at least another 12 months. The amount of the support is 2,000 denars per month for the employer and 17,000 denars per month for the newly employed person (which the employee will receive as a gross salary through the employer). The Program for Subsidizing Jobs for Persons with Disabilities, which specifically refers to persons with disabilities, is similar to this one.

EARM offers the following types of trainings: for a prominent employer, workplace training with subsidized employment, for jobs in high demand in the labor market, for advanced IT skills, C, D and E category drivers, old crafts skills, internships (for youth aged up to 29 years), foreign languages, computers and qualifications according to the current needs of the labor market (in the services and industry sectors), as well as training and counseling for entrepreneurship (for youth aged up to 29 years). These measures can enable Roma with a lower level of education to acquire qualifications, additional qualifications and retraining, which would improve their employability.

The Community Work Program offers opportunities for the temporary engagement of unemployed persons - members of socially vulnerable groups, including Roma, on a part-time basis. The engagement may last up to a maximum of six months, and the amount of the monthly pay is 6,200 denars, including taxes. What is significant, is that during this period, the person retains the status of an unemployed person and can continue exercising his/her social, healthcare and other rights on these grounds. In this way, people can acquire

149 Statement of an interviewed person .

150 Statement of a participant in a focus-group.

new, or improve their current, work skills, which could make it easier for them to find a job in the labor market in the future. EARM is implementing this program in cooperation with the interested municipalities, which determine the criteria for hiring unemployed persons and the areas (day care, health care, education, sports, etc.) that they will work in.

No Roma returnee included in the survey, whether through the focus groups, or as an interviewee, has ever used any of the measures for active employment of ESA.

The Youth Start-up Program,¹⁵¹ also implemented by EARM in September 2017 is also worth mentioning. This program is designed for young people up to the age of 29, and provides entrepreneurship training and support for the drafting of a business-plan, grant in the amount of 307,500 MKD (in case two people establish a partnership company – LLC, the grant may be doubled and amount to 615,000 MKD) and advisory and mentoring support on the running of the business in the amount of 120,000 MKD. Moreover, in case the founder, i.e. founders, employ a third person, they are eligible for additional financial support in the amount between 92,000 and 153,750 MKD.

Also, there is another interesting measure for financial and advisory support to micro, small and medium enterprises and social enterprises, which refers to civil society organizations whose primary activity is in the field of social entrepreneurship. The measure offers grants in the amount between 205,000 and 615,000 MKD if the company, that is, the civil society organization, employs one to three new full-time employees. One of the conditions for applying is that the primary activity of the company, that is, the civil society organization, is in the “field of social entrepreneurship with a focus on working qualification and social inclusion of hard to employ people from vulnerable groups”.¹⁵² This measure can be used by Roma civic organizations working with Roma returnees.

Regarding the long-term goals of public policies in the area of employment in Macedonia, the National Employment Strategy of the Republic of Macedonia 2016-2020 should also be mentioned.¹⁵³ Although in this document the Roma (or the returnees) are not defined as a vulnerable group which requires specific measures, the strategy foresees changes in the social financial assistance system so that the recipients do not lose their social financial assistance as soon as they get employed, but continue to receive it for a certain additional period. This is expected to motivate the recipients of social financial assistance and serve as an incentive for employment. Moreover, measures have been envisaged for regulating the status of persons working as nannies and housekeepers or cleaners. In fact, by introducing the so-called voucher system and registration or licensing, the state will make an attempt to provide formal employment for the persons, mostly women, who work in these occupations. In this regard, consideration should be given to the support of persons involved in the collection and recycling of waste within the envisaged measure “Piloting active Roma employment measures within the framework of green jobs”, which would have a significant impact on the Roma who deal with this activity.

151 For more details see: Public call to unemployed youth up to 29 years of age, EARM accessed on 9.10.2017.

152 Part of the 2.5 Program - Financial and advisory support for the growth of micro, small and medium enterprises and social enterprises of EARM.

153 National Employment Strategy of the RM, MLSP, accessed on: 09.10.2017.

Housing

“I went abroad to build a house in Macedonia”.¹⁵⁴

The right to housing is a fundamental human right. The home gives people physical protection against the cold, heat, unnatural disasters and provides a sense of belonging and intimacy. Having a home contributes to the realization of other political, civil and social rights: without a home (habitat), people are unable to exercise their right to social protection, to right to vote or the right to family and privacy. Adequate housing is essential for decent human living and is particularly important for the development of children and healthy families. Unfortunately, many vulnerable categories in Macedonia are socially excluded in terms of housing, including the Roma, as well as the returnees among them as a category with specific social needs and difficulties.

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Although the opening of the center was planned for 2010, it has not yet been realized. According to the information provided by the MLSP representative included in the survey, the ministry allocated budget funds for this interim accommodation in one of the existing refugee accommodation centers during the first two years of the program implementation, but due to a lack of interest, that practice was interrupted:

*“Although the opening of the center was planned for 2010, it has not yet been realized. According to the information provided by the MLSP representative included in the survey, the ministry allocated budget funds for this interim accommodation in one of the existing refugee accommodation centers during the first two years of the program implementation, but due to a lack of interest, that practice was interrupted”.*¹⁵⁷

The survey in a certain way confirmed the lack of interest among Roma returnees when it comes to possible short term accommodation in reception centers: all persons involved in the survey (through focus groups and interviews) after returning from abroad returned to their previous homes, including those who were homeless:

154 Statement of a participant in a focus group.

155 Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with readmission agreements, p. 12

156 Program for assistance and support for reintegration of returnees in the Republic of Macedonia in accordance with readmission agreements, p. 12.

157 Statement of an interviewee.

*“We went back to Kale, among the same people. Yes, the same community. We all work together, so that we don’t sleep in the open air”.*¹⁵⁸

In other words, many of the returnees returned to the same substandard conditions they lived in before they left and faced the difficulties in providing decent living conditions for themselves and their families. In fact, the desire to provide a “roof over one’s head” is a strong and sufficient reason for a number of Roma to leave the country and seek asylum in an EU member state:

*“I went abroad in order to build a house in Macedonia”.*¹⁵⁹

*“With the money I had left, at least I fixed my bathroom”.*¹⁶⁰

The notion of a decent living does not imply that one only has “a roof over one’s head”. The right to housing is a wider concept which includes, among other things: legal security in housing, accessible communal infrastructure, good connection with the rest of the city, geographical accessibility of health services, education and social protection, suitable for living, as well as being adequate to the cultural identity, etc.¹⁶¹ Hence, the housing of Roma returnees can only be adequately addressed in the medium and long term.

There is a legal framework in Macedonia, but also a political commitment (at least declarative) to improve the situation of the vulnerable groups in terms of housing. The following laws and public policy documents define the legal framework for housing:

Article 8 of the Law on Housing defines the terms of minimal housing and adequate housing: “Minimal housing includes meeting the minimum spatial conditions, the equipment of the apartment with the basic communal infrastructure, such as electricity, water and drainage and traffic connection of the apartment with the settlement, that is, the city, as well as the legal security of the possession or use of the apartment”.¹⁶² On the other hand, “adequate housing, apart from the elements of minimal housing, includes adequate privacy and space, physical availability, security, constructive stability and durability, lighting, heating and ventilation, basic infrastructure such as supply, drainage and waste collection, quality environment and health-related factors, as well as accessibility in terms of one’s job and basic services”.¹⁶³

In the Law on Housing there is a special section dedicated to non-profit housing as a segment of social housing, whereby the term non-profit apartment,¹⁶⁴ along with the categories of persons that are eligible for non-profit housing, are defined.¹⁶⁵ Furthermore, the law states

158 Statement of a participant in a focus-group.

159 Statement of a participant in a focus-group.

160 Statement of a participant in a focus-group.

161 See more at: <http://www.refworld.org/docid/47a7079a1.html>.

162 Law on Housing, Official Gazette of the RM, no. 99/09; 57/10; 36/11; 54/11; 13/12; 55/13; 163/13; 42/14; 199/14; 146/15 and 31/16.

163 Law on Housing, Official Gazette of the RM, no. 99/09; 57/10; 36/11; 54/11; 13/12; 55/13; 163/13; 42/14; 199/14; 146/15 and 31/16.

164 Article 91, paragraph 1 of the Law on Housing reads as follows: Non-profit apartment is a residential unit that meets the standards for minimal or adequate housing referred to in Article 8 of this Law, owned by the state, the municipality, the city of Skopje or other non-profit housing organization, designed exclusively for the housing the persons referred to in paragraph (3) of this Article.

165 Article 91, paragraph 3 of the Law on Housing reads: The primary right to award a non-profit apartment for lease is to persons in social risk who are the most represented in the area of the units of local self-government, such as low-income families, young people who are especially distinguished in certain areas, young married couples, single parents, retirees over the age of 60 who do not have ownership over an apartment and other categories of persons in social risk.

that the renter of a non-profit apartment or a residence unit designed to temporarily solve the housing needs of persons at social risk has the right to subsidized rent, according to the regulations on social protection. The manner of exercising the right to subsidized rent and the methodology for calculating the amount of the subsidy, as well as determining the extraordinary circumstances for the termination of the lease payment and other necessary expenses, are envisaged to be regulated by a special bylaw,¹⁶⁶ which has not been adopted so far. Also, the bylaw that will prescribe the minimum standards for adequate housing has not yet been adopted.¹⁶⁷

If we go back to the situation on the ground, it is a fact that the homes of Roma families are far from the initially mentioned minimum adequate housing standards in the Law on Housing. The survey showed that Roma returnees most often return to the habitats they previously abandoned. In a large number of cases, the Roma who depart, leave someone, a parent or a relative, in the house, to care for it and maintain it. The interviewees from the Roma civic organizations and from the Roma information centers point out that wherever the houses were left empty, upon return the owners realized that the house was robbed and part of the movable house property was taken away. There are also cases when the returnees sold their entire property along with their houses in order to collect more money when preparing for the trip, and in such situations some of the returnees return to relatives' and friends' homes, or remain on the streets after returning. Similar information was shared by the representative of the Ministry of Labor and Social Policy, interviewed in the survey:

*“There are people who sell everything and go to seek asylum. When they are rejected if they are not welcomed into the homes of relatives or friends, they remain on the streets. Sometimes they've sold their houses to a brother, a sister, a close relative, they have spent the money, and then want to return ... Family relationships are ruined”.*¹⁶⁸

Some Roma returnees decide to use their savings from their stay abroad as asylum-seekers to build their own house or to renovate the one they had, as is clearly stated in the two statements above.

Many Roma returnees included in the survey described their homes as too small to live in, in poor condition and without the proper connections for water-supply, sewage and electricity, but also without bathrooms. Since all the focus groups with Roma returnees were held locally, in Roma settlements in the targeted towns, it was easy to spot the substandard state of Roma homes in terms of lack of sufficient living space, a number of improvised houses built of non-building materials (nylon, cardboard, aluminum plates, plastics, etc.), open sewerage channels, unsuitable street infrastructure, crowded piles of waste, overburdened electrical networks, non-accessible terrain, etc.

*“It was nice in Germany, they would give you an apartment to stay in, with a bathroom, a shower, with everything. So you could live like a human.”*¹⁶⁹

Ваквата состојба на ромските домови и населби е потврдена и во претходни истражувања од Центарот за јавно здравје, Хабитат – Македонија, како и од други граѓански здруженија кои работат со Роми.¹⁷⁰

166 Article 98, paragraph 8 of the Law on Housing.

167 Article 8, paragraph 4 of the Law on Housing.

168 Statement of an interviewed person.

169 Statement of a participant in a focus group.

170 For example, the Initial Study on Roma Housing in the Municipality of Prilep, “Habitat” - Macedonia, 2017.

According to the outdated¹⁷¹ Strategy for Housing of the Republic of Macedonia 2007-2012,¹⁷² the issue of social housing and housing for vulnerable groups should be resolved within the framework of the general directions of the country's housing policy, with emphasis on the necessity of adopting legal regulations and by-laws with which would regulate the social housing as a separate segment, defining the key problems and solutions for the issue of social housing and vulnerable groups which,¹⁷³ due to their low standard of living, have difficulties exercising the right to a home. The strategy envisages an increase in the number (construction) of apartments intended for social and vulnerable groups and setting the minimum standards for the construction of these apartments. There is still no law on social housing in the country, and as a consequence, the problems and open issues in social housing are resolved through the existing legislation, which only superficially tackles this issue and does not fully cover the needs of the people who are excluded from housing.

The most specific measure of the government institutions for resolving the housing problem is the provision of free social housing for socially vulnerable groups through the project "Housing for Social Groups" (Project F/P 1674). This project started in 2009, and the construction of all planned facilities is intended to be complete in 2018. 32 buildings with a total of 1,754 apartments will be built, which will be awarded free of charge to persons in social risk and members of vulnerable groups. By 2017, 13 buildings with more than 300 apartments have been completed, while others are in construction in the towns of: Gevgelija, Pehchevo, Vinica, Kumanovo, Sveti Nikole, Probishtip, Negotino, Strumica, Tetovo, Debar, and Veles.¹⁷⁴ There is no data on the number of registered Roma or Roma - returnees among the registered people or recipients of social housing.

Users of social housing may be the following categories of citizens if they are residents of the municipality in which the apartments are built:

- children without parents or parental care and persons over 18 years of age who, by the age of 18, were cared for in institutions and in other forms of care for orphans;
- beneficiaries of social or permanent financial assistance;
- persons affected by natural disasters - regardless of the legal status of their permanent (primary) habitats;
- disabled persons and persons who need care from another person and families with disabled people;
- persons belonging to the Roma community who are socially endangered;
- single parents with juvenile children;
- blind persons, beneficiaries of social or permanent financial assistance.

When the construction of a social housing facility begins, the Ministry of Transport and Communications announces a public call for the granting of a social apartment in at least two daily newspapers. The requests for submission of the necessary documents for obtaining a social apartment are taken and, upon completion of the required documentation, they

171 No new strategy has been adopted. However, it is important to note that part of one of the areas of the National Strategy for Reduction of Poverty and Social Exclusion in the Republic of Macedonia (revised 2010-2020) is also housing.

172 Housing Strategy of the Republic of Macedonia 2007-2012, accessed on: 09.10.2017.

173 The Housing Strategy of the Republic of Macedonia (2007-2012) sets the global framework of the category "vulnerable group", which includes homeless people, children without parental care up to 18 years of age, single parents, disabled people, long-term unemployed people, extremely poor people and, in some cases, members of certain ethnic communities that have been faced multiple discrimination, such as the Roma.

174 http://www.adsdp.mk/adsdpmk/index.php?option=com_content&view=article&id=339&Itemid=312 (accessed on 13.07.2017).

are submitted to the social work centers throughout the country. The centers are obliged to provide support to persons who are unable to complete a proper request on their own. The Roma Information Centers have an obligation to inform the Roma population about the vacancy announcements for social housing and to provide support.

The right to legal security in housing is determined by the Law on Treatment of Illegally Built Objects,¹⁷⁵ which gives citizens who do not have ownership rights over their dwellings the opportunity to obtain them under favorable conditions, that is, to legalize the facilities where they live, and they did not previously possess property certificates and other relevant documents. The beneficiaries of social financial assistance are offered the opportunity for legalization of their dwellings free of charge by law. The data shows that the approval for legalization is slow: from the introduction of the law in 2011 to September 30, 2015, 33 percent of the submitted requests for legalization were resolved at the state level.¹⁷⁶

The deadline for submitting applications for legalization of illegally built facilities has recently been extended until December 31, 2018.¹⁷⁷ This opens up the possibility for some Roma people, who due to their absence from the state failed to submit a request for legalization in advance, to apply within the extended period.

However, there are families that will not be able to legalize their homes because they are built in parts of cities for which there are no detailed urban plans, or places that are unfit for living and which cannot support proper communal infrastructure. This situation is quite common and leaves a significant number of Roma families with unresolved housing. Municipalities are slow in the adaptation of the urban plans to the real situation, and many of them do not have data on the number of Roma who have submitted a request for legalization and the outcome of that process. This negatively affects the opportunities for Roma families to complete the legalization process and to acquire ownership of their home. In addition, consideration should be given to providing support to Roma when completing and submitting the request, since many interviewees have difficulties even with simpler administrative procedures (as elaborated in the section on social protection, for example).

The Strategy for the Roma in the Republic of Macedonia 2014-2020¹⁷⁸ and the accompanying National Housing Action Plan clearly reflect the political commitment of the state to reducing the social exclusion of Roma in relation to housing. The strategic determination of the strategy is “to reduce the gap in the quality of housing between Roma and non-Roma communities in the Republic of Macedonia¹⁷⁹ through three specific goals:

- To legalize 70% of the settlements inhabited by the Roma population by 2017, wherever there is a possibility;
- To build up to 50% of the communal infrastructure in the settlements inhabited mainly by the Roma population, wherever possible, by 2020;
- To amend existing, and adopt new, legislation on housing for social and vulnerable groups by 2015.

175 Law on Treatment of Illegally Built Objects, Official Gazette of the Republic of Macedonia no. 23/2011, 54/2011, 155/2012, 53/2013, 72/2013, 44/2014, 115/2014, 199/2014, 124/2015, 129/2015, 217/2015 and 31/2016.

176 Research on the implementation of a procedure for determining illegally built objects, Ombudsman of the Republic of Macedonia 2015.

177 <http://www.mtc.gov.mk/video-pres-konferencija-po-povod-prodolzivanje-na-rokovite-za-legalizacija-na-divogradbite>.

178 Roma Strategy of the Republic of Macedonia 2014-2020.

179 Roma Strategy of the Republic of Macedonia 2014-2020.

The Strategy envisages the provision of finances from domestic and foreign sources for the realization of the stated goals. Since 2017, the National Housing Action Plan has been translated into local housing action plans in 13 municipalities across the country, which are to be implemented by 2020.

The specific goals of the housing strategy, but also the goals of the local housing action plans are rather ambitious. As was demonstrated with the implementation of the previous National Strategy for Roma 2005-2015, housing is the most complex issue to be solved due to the large amount of finances necessary, but also because the municipalities do not have sufficient capacity to prepare technical documentation for infrastructure projects that would be provided by foreign funds. As a consequence, today a large portion of Roma settlements are still not included in urban plans and do not have adequate communal infrastructure.

Recommendations

1. Intensifying the measures and activities for the inclusion of Roma people in Macedonian society in general.

These measures will put an end to Roma from Macedonia leaving for EU member states and other Western European countries as asylum seekers. The Strategy for Roma in the Republic of Macedonia 2014-2020 provides a good basis for these activities.

2. Reviewing the need for the Program for assistance and support to returnees in the Republic of Macedonia in accordance with the readmission agreements with its current provisions.

The program is ambitious and extensive, but de facto not implemented. The government and the competent public institutions should consider whether a program change or preparation of a new program is needed, which would be less ambitious but realistic, or the issue of returnees could be included in public policies in areas of interest to returnees. If a new program is prepared, it must forcibly include a time frame and an assessment of the necessary means of implementation and sources of funding.

3. Establishing an inter-ministerial body or mechanism for coordination and exchange of data and information related to returnees, with a focus on Roma returnees.

In the body or mechanism for coordination and exchange of data and information related to returnees, the participation of the relevant civil society organizations should be enabled along with one representative from the Ombudsman and the State Commission for Protection against Discrimination.

4. Intensifying the efforts to register people in vital public records and to provide personal documents to all persons in the country that have not yet regulated these issues, including Roma and returnees.

5. Intensifying the efforts to inform the returnees about their rights and obligations as citizens of the Republic of Macedonia, immediately after their arrival in the country.

In this regard, we need to take into account the experiences of the neighboring countries (Serbia, Kosovo) which have an information office for returnees at the airport where the forced deportees arrive. An alternative option is to engage a mobile team, which may consist of persons employed by Roma Information Centers (RICs), to inform returnees immediately upon entering the territory of Macedonia.

6. Providing the opportunity for short-term accommodation of returnees immediately after their return to Macedonia, for those persons who do not have any housing provided in the country.

This does not mean that the state should open a special reception center, but to consider the possibilities for temporary accommodation in some of the existing accommodation facilities for homeless persons or other categories of citizens or foreign nationals.

7. Strengthening the capacities and resources of Roma Information Centers and Roma Health Mediators to provide information and effective paralegal assistance to Roma returnees (and Roma in general) in the exercising of their human and civil rights, in cooperation with the relevant institutions.

8. Alleviating and promoting the access of Roma to free legal aid.

9. Providing financial support from the public budget to the organizations working to provide

free legal and paralegal assistance and support to Roma and returnees

10. Promoting the opportunities and significance of the role of the local self-government in ensuring the sustainable reintegration of Roma returnees.

The state could set aside a dedicated fund that the local governments could apply for with ideas to promote the reintegration of returnees.

Social protection

1. To consider the possibility of the status of active job seeker not being a condition for a person to use social financial assistance.

2. To consider the possibility of abolishing the obligation of monthly reporting by beneficiaries of social financial assistance to the centers for social work (or at least not to have that obligation fulfilled on a monthly basis, but on a quarterly or semi-annual basis).

3. To strengthen the skills of the employees in the social work centers regarding communication and cooperation with members of vulnerable groups, including Roma.

In this regard, we could consider reducing the administrative burden of the centers for social work and strengthening their capacity in terms of human resources in order for them to be able to respond to the essential aspect of their competences - social work.

4. To enable families that include one or more members without documents or who are not registered in vital public records to exercise the right to social financial assistance for those members who have the necessary documentation.

Primarily this would mean amendment to Article 6 of the Rulebook on the manner of determining the state of income, property and property rights of the household, the determination of the right holder and the necessary documentation for exercising and using the right to social financial assistance. (See Official Gazette of the Republic of Macedonia 54/2013).

5. To enable a person who has lost the status of active job seeker due to not reporting to the EARM, to regain that status upon expiry of six months after his/her deletion from the records.

This would require a change to Article 59-a, paragraph 2 of the Law on Employment and Insurance in the Case of Unemployment and its alignment with Article 50, Paragraph 4 of the Law on Social Protection.

6. To intensify the implementation of the National Program for Development of Social Protection 2011-2021, especially in the area of institutional separation of social money transfers from social services and social prevention (i.e. establishment of the envisaged Agency for Social Financial Compensation).

Healthcare

1. Improved informing of Roma returnees about the opportunities, rights and grounds for obtaining compulsory healthcare insurance.

2. Improved informing of Roma returnees about the availability (free of charge) and the importance of proper immunization of their children and motivating them to immunize them.

3. Improved informing Roma returnees about the availability of free healthcare for pregnant women and treatment of newborns up to one year of age.

4. Improved informing of Roma returnees about the possibilities for reducing the amount and / or refunding the funds paid for hospital treatment and specialist treatment.

5. Strengthening the role and capacities of Roma health mediators that may be key actors for spreading information within the Roma communities about their rights in the areas of health care and health insurance.

6. Considering the possibility to revoke the requirement for a person to have had health insurance for at least six months prior to submitting an application for the use of an orthopedic device.

This would require a change in Article 9, paragraph 3 of the Law on Health Insurance.

7. Consider the possibilities for securing funds from the budget for translation of documentation related to health treatments abroad when it comes to states of emergency in healthcare, chronic diseases or conditions requiring long-term and continuous treatment or therapy.

8. Strengthening the efforts to provide accessible, tailored and quality health services related to the reproductive and sexual health of girls and women of Roma ethnicity.

Education

1. To intensify efforts to increase the inclusion of Roma children in pre-school education, including children of Roma returnees.

2. To ensure the implementation of Article 7, paragraphs 2 and 3, on organizing individual and group additional classes for mastering the native language and filling in the gaps when it comes to knowledge in certain subjects for child returnees.

3. To provide free and fast nostrification of certificates, diplomas and certificates of education abroad for children from socially endangered families who have stayed and have received (some) education abroad.

This measure would enable the easier inclusion of children of Roma returnees in the classes, that is, the grades, they reached abroad, instead of them being sent back to the class they were in before leaving Macedonia.

To consider the possibility of bilateral cooperation, especially with the countries with the highest number of returnees, involving the exchange of data regarding the acquired education by returnees during their stay in the foreign country. This could take the form of Protocols of Cooperation or be achieved through cooperation with diplomatic and consular missions in the countries concerned.

4. To continue with conditional financial compensation, scholarships, mentoring programs and tutoring for Roma students in secondary education.

5. To continue with scholarships and the other programs intending to support the inclusion of Roma people in higher education.

6. To strengthen the awareness among the Roma population about the importance of education for the entire future life of a person.

7. To promote the availability of adult education and non-formal learning.

Employment

1. To promote active employment measures for Roma returnees.

2. To identify and promote positive examples of Roma who have successfully used some of the active employment measures.

3. Amend the self-employment program to enable the use of grant funds to support trade - allow the funds from the grant, apart from equipment and materials, to be used as working capital of the firm.

4. To motivate local governments in municipalities with larger numbers of Roma people to use the opportunities offered by the communal work programs.

5. To allow the status of a social enterprise and to provide increased support, including grants, training, advice and consultations to social enterprises run by socially vulnerable groups or working for the benefit of socially vulnerable groups, including Roma.

6. To intensify efforts relating to the fulfillment of legal obligations regarding adequate and equitable representation of Roma in the state and in the public administration.

This will contribute to reducing unemployment amongst the Roma population, as well as to increasing the visibility of Roma and reducing the stereotypes and prejudices that Roma people are currently exposed to, in their attempts to access public services.

Housing

1. Providing affordable financial programs and instruments for the renovation and refurbishing of substandard Roma homes.

2. "Political recognition" of the wild Roma settlements, their inclusion in detailed urban plans and, consequently, the start of administrative procedures for legalization of the facilities. Where urbanization is not possible, opening public consultations with the affected families and the local and central governments in order to find an appropriate solution to their habitats.

3. Accelerating the urbanization of the parts of Roma settlements that are included in the detailed urban plans, including providing adequate communal infrastructure.

4. The preparation of new urban plans of Roma settlements to match the real situation on the ground, in a participatory manner, i.e. through consultation with the local population.

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Appendices

Appendix 1: Guide to interviewing Roma returnees

Name and surname:

Age:

Sex:

Place of residence:

Marital status:

Disability or serious health issues:

Time of departure from Macedonia:

Time of return to Macedonia:

Departure, stay and return from abroad

1. What was your life like in Macedonia before leaving? Why did you decide to go abroad? Who did you leave with - alone or with family?
2. Where did you go? What did you do during your stay abroad? Did the stay abroad go according to your expectations?
3. Why did you decide to come back to Macedonia? Did you make that decision alone, or were you forced to come back to the country?

Reintegration in Macedonia

4. Do you or your family members face problems relating to personal documents? Do you have all the necessary personal documents (identity card, passport, birth certificate, marriage certificate, etc.)?

-Did you or members of your family face problems with personal documents before departing abroad?

-Did you fail or face difficulties obtaining personal documents for yourself or your family members upon returning from abroad (recovery of expired documents, for example)?

5. Where do you live upon your return, how did you deal with the housing issue?

-Have you returned to the same place where you lived before?

-If so, was it possible to instantly move in there? In what a condition was your previous residence? Was it necessary to intervene with repairs/reconstructions or similar activities?

-If not, how did you settle the housing issue?

-In what condition is your current home??

-Compare your current living conditions with those you lived in before your departure?

-Compare those conditions with the conditions you lived in during your stay abroad?

6. Are you employed or are you dealing with an activity that brings you some revenue?

-If so, were you able to return to the same workplace, that is, in the same activity that you worked in before your departure abroad? Did you find a new job or business that brings you revenue? What was the key to succeeding in that?

-If not, what is the reason why you are not yet employed and do not engage in any activity that brings you revenue? What do you think would help you find a job or do an activity that would bring you revenue?

7. How do you assess your general health - your own and that of the members of your immediate family?

-Do you have healthcare? Do you have a health card?

-After your return from abroad, have you needed to use health services (did you need to go to a doctor)?

-Have you been able to use health services (to go to a doctor)?

-If so, how did you manage to provide healthcare after your return from abroad, that is, how did you pay for the health services?

-If not, for what reason are you unable to receive healthcare (health card)?

-Do all the members of your family have healthcare (health ID)? Is the situation now different to the situation when you left to go abroad?

-If so, how did you manage to provide healthcare (health cards) for all your family members?

-If not, what is the reason why you cannot provide health care (health card) for all your family members?

8. Are you or members of your immediate family included in education (school, faculty, trainings, etc.)? What is the educational situation of the children and the young members of your family? What is the situation after your return, compared to the one before going abroad?

-If so, how did you manage to get involved, that is, to enroll your family members in education? Did you have difficulties enrolling? How did you overcome them?

-If not, what is the reason you were unable to get involved, that is, to enroll members of your family in education?

-During your stay abroad, did you or members of your family get involved in the educational process (school, vocational training, some courses, etc.)?

-If so, did you manage to verify (nostrify) the diplomas and certificates? Explain how the process went.

-If not, after returning from abroad, did you or members of your family who are school-age return to the educational process (at school)? How did they manage to return? If not, why did they fail to return, what were the obstacles?

9. Have you tried to receive some kind of social assistance (any social transfer, on any grounds)? Do you receive any social assistance?

-If so, how did you manage to receive social welfare? What is the amount of the assistance? Does the assistance help you and your family live a good quality life (how do you get by in everyday life with the social help you receive)?

-If not, what were the obstacles to receiving social assistance? Are the obstacles related to your stay abroad (did you receive social assistance previously, and after returning you are not able to exercise the same right)?

IV. Available support from the institutions and the civil society sector

10. Have you received any support from a public institution in order to reintegrate into your local community (to return home)? From the Municipality? From the Center for Social Work ? From the school? From the health dispensary, i.e., the Health Fund? From the Employment Agency?

-If so, describe what the support consisted of?

-If not, did you ask for help? What was the reason for not getting help when you asked for it? Why didn't you ask the competent institutions for help?

11. Have you received any support from a civil society organization in order to reintegrate into your local community (to return home)? From which?

-If so, describe what the support consisted of?

-If not, did you ask for help? What was the reason for not getting help when you asked for it? Why didn't you ask the local civic organizations working in your community for help?

Closing information

12. Do you have any proposals for improving your situation following your return to Macedonia?

-Would you like to talk about something we have not mentioned yet?

-Do you have any comments about the interview?

Appendix 2: Guide to interviewing representatives of institutions

Name and surname of the interviewee:

Position within the institution:

Public institution:

Contact-information:

Competencies and experience

1. How long have you dealt with the issue of the reintegration of Roma-returnees? How long have you been at this position in your organization?
2. What are the responsibilities and role of your institution regarding the reintegration of Roma - returnees? What acts (laws, by-laws, public policies) define the role of your institution in this area?
3. How many Roma returnees does your institution work with? How do you identify your users? How do you determine whether Roma returnees can be beneficiaries of the services/support of your institution? What percentage of the applicants for your services/support meet the criteria to receive services/support?
4. In your opinion, to what extent does the support that Roma returnees receive from your institution help them to reintegrate into the community? To what extent is this support effective?
5. Have you faced any requests/cases that your institution was unable to deal with and thus to support the reintegration of Roma-returnees? Please explain.
6. Do you think there is a better way for your institution to provide more effective support to the reintegration of Roma into the community? Please explain.
7. Do you have any knowledge about Roma - returnees in your community (local jurisdiction) that are not officially registered by the state and who you are not legally able to help?
8. What is your take on the possibilities of improving the legal framework (in your area of work) to provide more effective support to the reintegration of Roma-returnees?
9. According to you, are the resources, including the financial resources, that the state makes available, sufficient to encourage the reintegration of Roma-returnees?

Collaboration with other actors

10. Does your institution cooperate with other public institutions in supporting the reintegration of Roma returnees?

If so, with which and in what way? What are the effects of the cooperation with regards to the reintegration of Roma - returnees?

If not, what is the reason for the lack of cooperation?

11. Does your institution cooperate with civil and international organizations in support of the reintegration of Roma - returnees?

If so, with which and in what way? What are the effects of the cooperation regarding the reintegration of Roma - returnees?

If not, what is the reason for the lack of cooperation?

12. In what way do you think that the collaboration between the various stakeholders from the public and civil sectors could be improved in order to enhance the reintegration of Roma-returnees?

Closing information

13. Do you have any additional suggestions or comments?

Appendix 3: Guide to interviewing representatives of civil society organizations

Name and surname of the interviewee:

Position within the organization:

Organization:

Contact-information:

Competencies and experience

1. How long have you been working on the issue of the reintegration of Roma returnees?

How long have you been at this position in your organization?

2. What is the role of your organization regarding the reintegration of Roma - returnees?

What are your organization's activities in this field? What kind of help does your organisation offer, or has your organisation offered in the past, for Roma returnees?

3. How many Roma returnees does your organization work with? How do you identify the users? How do you determine whether Roma returnees can be beneficiaries of the services/ support offered by your organization? What percentage of the applicants for your services/ support meet the criteria to receive the services/support?

4. In your opinion, how much does the support that Roma returnees receive from your organization help them to reintegrate into the community? How effective is the support?

5. Have you encountered requests/cases that your organization was unable to solve and so was therefore unable to support the reintegration of Roma returnees? Please explain.
6. Do you think there is a better way for your organization to provide more effective support to the reintegration of Roma in the community? Please explain.
7. What is your opinion on the possibility of improving the legal framework (in your area of work) in order to provide more effective support in the reintegration of Roma-returnees?
8. In your opinion, are the resources that the state provides, including finances, sufficient to encourage the reintegration of Roma returnees?

Cooperation with other actors

9. Does your organization cooperate with public institutions in order to support the reintegration of Roma returnees?

-If so, with which and in what way? What are the effects of the cooperation regarding the reintegration of Roma - returnees?

-If not, what is the reason for the lack of cooperation?

10. Does your organization cooperate with civil society and international organizations in order to support of the reintegration of Roma - returnees?

-If so, with which and in what way? What are the effects of the cooperation regarding the reintegration of Roma - returnees?

-If not, what is the reason for the lack of cooperation?

11. In what way do you think that the collaboration between the various stakeholders from the public and civil sector can be improved in order to enhance the reintegration of Roma-returnees?

Closing information

12. Do you have any additional suggestions or comments?

Appendix 4: Data on the respondents included in the interviews

Total number of interviews conducted: 14

Interviewed Roma – returnees: 5

- NN, female, married, 4 children, 38 years old, Skopje (Shuto Orizari);
- NN, male, married, 3 children, 66 years old, Tetovo;
- NN, male, married, 1 child, 32 years old, Delchevo;
- NN, female, single, 25 years of age, Bitola;
- NN, male, married, 3 children, 43 years of age, Kumanovo.

Interviewed representatives of public institutions: 7

- Inter-municipal Centre for Social Work Skopje, regional department Shuto Orizari;
- Employment Agency of the Republic of Macedonia, Employment Center Delchevo;
- Roma Informative Center Bitola;
- Roma Informative Center Kumanovo;
- Municipality of Shuto Orizari;
- Primary School of “Brakja Ramiz and Hamid”, Shuto Orizari;
- Ministry of Labour and Social Policy

Interviewed representatives of civil society organizations: 2

- Umbrella Integration Center;
- Roma organization of the women from Macedonia “Daja”.

Appendix 5: Guide to conducting focus groups with Roma-returnees

Questions for discussion

Where more specifically were you abroad? Why did you decide to leave?

Why did you decide to return to Macedonia? Did you make that decision alone or were you forced to return to the country?

Do you or your family members face problems relating to personal documents? Do you encounter difficulties in retrieving or updating personal documents after your return?

Did you return to the same place you lived before? Compare the conditions now with the living conditions prior to your departure.

Are you or members of your family employed or are you dealing with an activity that brings you revenue? Compare the situation in your family now with the situation prior to your departure.

Do you or your family members have healthcare (health card)? Can you use health services (go to a doctor) when you need to? Compare your healthcare situation now with the situation prior to your departure.

Have you, or your family members, come across difficulties or a halt in education due to your stay abroad and subsequent return? Do you or members of your family receive non-formal education (vocational training, retraining, etc.)? Explain briefly the differences regarding the educational situation in your family before going abroad and after returning.

Do you receive social financial assistance? Is it a significant support for your family? Compare the situation in your family with regard to the access to social assistance before going abroad and after returning.

Which institution or organization has helped you most to reintegrate into the local community (“to come back home”)? In what way?

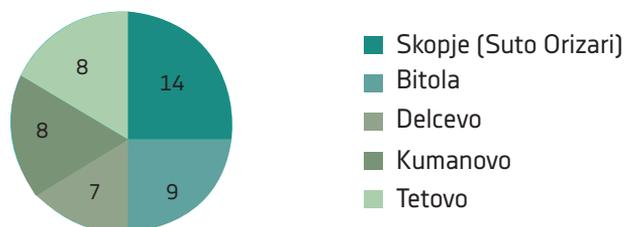
Has an institution or organization caused you difficulties in reintegrating into the native community (“return home”)? In what way?

Do you have any suggestions for improving your situation following your return to Macedonia? Would you like to share something we haven’t talked about?

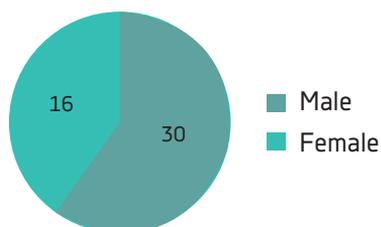
Appendix 6: Structure of the participants in the focus-groups with Roma-returnees

Total number of participants: 46

Structure according to the place of residence:



Sex ratio:



Age ratio:

