

Contract No.: 12-8715/1

ASSESSMENT REPORT

SPECIFIC NEEDS, CHALLENGES AND MEASURES FOR INSTITUTIONAL SUPPORT OF ROMA STREET CHILDREN Final – 27 October 2016

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DOCUMENT CONTROL SHEET

Project Name:	Local Integration of Refugees, Internally Displaced Persons and Minority Groups			
Reference No:	EuropeAid/136616/IH/SER/MK			
Contracting Authority:	Central Financing and Contracting Department, Ministry of Finance, Republic of Macedonia			
Beneficiaries:	 Ministry of Labour and Social Policy (MLSP); Cabinet of the Minister without Portfolio; Secretariat for European Affairs (SEA) Roma Information Centres (RICs); National Coordinative Body for Implementation of Strategy and Decade for Roma; Local self-government units; Employment Service Agency; Civil society organizations active in the field of Roma issues, refugees and internally 			
Consultants	displaced persons.			
Consultant:	Eptisa in consortium with CARE, MCIC and Roma Education Fund			
Report:	Assessment report. Specific needs, challenges and measures for institutional support of Roma street children			
Project activity:	Activity 1.6 - Assessment with recommendations and identifying the specific needs, challenges and measures for institutional support for targeting the Roma street children and delivery of a training.			
Project output #:1	12. Assessment report with recommendations for care for Roma street children			

¹ As per the numbering of outputs made in Chapter 12 of the project's Inception Report.











PROJECT SYNOPSIS

	TT '.' A '.			
Programme Name:	Transition Assistance and Institutional Building (IPA Component I) Local Integration of Refugees, Internally Displaced Persons and Minority			
Project Name:				
	Groups			
Reference No:	EuropeAid/136616/IH/SER/MK			
Contract Number:	12-8715/1			
Project Duration:	18 months			
Project Commencement Date:	11 January 2016			
Project End Date:	11 July 2017	1		
Name:	Ministry of Labour and	Central Financing and	EPTISA SOUTHEAST	
Traine.	Social Policy (MLSP)	Contracting Department	EUROPE doo	
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Overall Objective:	To enhance the state administration and implementation capacities for further strengthening and supporting the local integration process and inclusion of the residential and / or non-residential displaced persons (refugees and internally displaced) and minority groups (Roma), as well increasing the sustainability of their reliance.			
Purpose:	To contribute in supporting the process of residential and / or non-residential displaced persons in their access for provision of comprehensive state administration services, increase self-reliance via participation and inclusion of the displaced persons in the society, as well as improve the quality of life and access to rights and services for social inclusion of the Roma, Ashkali and Egyptian communities in the country.			
Expected Results:	Component 1: Support to the implementation of national and local public policies			
	for Roma inclusion:			
	 Implemented training plan for capacity building of relevant institutions on the Local Action Plans (LAPs) within the implementation of the Roma Strategy and Decade; 			
	 Enhanced capacity for all the relevant stakeholders for implementation of Roma Strategy and Decade and memorandum for cooperation with the municipalities; 			
	 Local Action Plans for Roma implemented. 			
	Component 2: Institutional Capacity Building and Access to Labour Market for			
	refugees and IDPs:			
	 Increased capacity of state institutions and policy makers to deliver integration policies and facilitate access to services; Achieved economic sustainability; Increased employability; 			





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Key Activities:	Component I: Support to the implementation of national and local public policies for Roma inclusion:		
	 Activity 1: Supporting the national institutional structure of the Strategy for Roma and Decade of Roma Inclusion; Activity 2: Supporting the local institutional structure for creation and implementation of Roma policies; 		
	Component 2: Institutional Capacity Building and Access to Labour Market for		
	refugees and IDPs.		
	 Activity 3: Institutional capacity building and access to labour market for refugees and IDPs. 		
Key Stakeholders:	 Unit for Implementation of the Strategy and Decade for Roma (UISDR), MLSP Unit for Migration, Asylum, and Humanitarian Aid (UMAHA), MLSP 		
Target Groups:	 MLSP (UISDR and UMAHA) Cabinet of the Minister without Portfolio 		
	National Coordinating Body for Implementation of Strategy and Decade for Roma		
	 Local self-government units 		
	Employment Service Agency		
	• Civil society organizations active in the field of Roma issues, refugees and internally displaced persons		











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ABBREVIATIONS

CSWs	Centres for Social Work
DCs	Day-Care Centres
ILO	International Labour Organization
ISA	Institute for Social Affairs
LIRIKUS	A data collection system in the Centres for Social Work
MLSP	Ministry of Labour and Social Policy
MoI	Ministry of Interior
NGO	Non-governmental Organization
RHMs	Roma Health Mediators
RIC	Roma Information Centre
UNCRC	UN Convention on the Rights of the Child
UNICEF	United Nations Children's Emergency Fund







EXECUTIVE SUMMARY

This Assessment Report concerning the Specific needs, challenges and measures for institutional support of Roma street children presents the findings of an analysis of legislation, procedures and practices related to the status of Roma street children. The analysis was conducted in the period September – October 2016 using the following methods: desk research and analysis of laws and other documents, interviews with relevant public institutions and NGOs, and focus groups with parents of Roma street children (one group with parents whose children are not attending a day-care centre or any other educational institution and one group with parents of Roma street children who are attending a day-care centre).

There are some 1,000 "children on the street", 95 per cent of which are Roma². Based on reports from the Ombudsman, citing data from Centres for Social Work (CSW), in 2011 there were 719 children on the street in 8 cities: Kavadarci, Kichevo, Kochani, Kumanovo, Prilep, Resen, Skopje and Strumica.

The majority of children involved in child labour in the country are engaged in street work such as begging, vending cigarettes and other small items in open markets and/or in the streets and collecting plastic. Some children engage in begging voluntarily to help support their impoverished families, while others are forced to beg by family members. The majority of children involved in street work, including begging and forced begging, are of Roma ethnicity³.

Day-care centres (DCs) under the MLSP are constituent units of the CSW. So far, the services of two public DCs for children on the street in Skopje were used by over 600 children. In Macedonia there are also DCs working with children on the street that are run by NGOs. For example, the DC "Educational and fun day centre for street children" located in Shuto Orizari is managed by the NGO "Association for Protection of Children's Rights".

The report identifies the most significant legal provisions with regards to the situation of street children and discusses the practical implications of the current legislation. Certain progress has been made in recent years, as state institutions launched an inter-sectoral response to this issue, that is, the Multidisciplinary protocol for work with street children, in collaboration with the civic sector. The involvement of civic organizations in the work with Roma children on the street is a good practice and their contribution is worth acknowledging, in particular for ensuring community work and direct support of the communication between Roma street children (and their families) and state institutions.

However, further improvements need to be achieved in the following areas: Roma children on the street need to be identified, which would improve the planning and implementation of an appropriate

² UNICEF, Assessment of the Situation of Children on the Street (Skopje: UNICEF, 2005).

³ United States Department of State, *Macedonia 2015 Human Rights Report* (Washington, DC: United States Department of State, 2015).

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state action. Mapping must be done regarding the reasons why the Roma children are on the street instead of in the educational system. Better implementation of the laws and bylaws regarding the inclusion of Roma children on the street and protection of the children's rights is needed. In order to prevent new Roma children on the street, there is a need for more preventive work with the Roma families at risk. Since other countries in the region face similar challenges, regional cooperation and exchange would lead to identification and replication of best practices.

1. INTRODUCTION

1.1 Purpose of the report

The purpose of this report is to present the findings of an assessment of the specific needs, challenges, and measures for institutional support for targeting Roma street children. Following a description of the methodology employed for the assessment, the report provides a review of legal provisions identified as particularly significant for Roma street children, their access to education, health and identity documents. Section 5 of the report consists of an examination of the relationship between procedures and practices as they affect Roma street children. Section 6 outlines the conclusions and identified key obstacles. Section 7 proposes recommendations for better inclusion of Roma street children and improvement of the procedures for easier fulfilment of the rights of the Roma street children and their access to education, social services and health and identity documents.

This report (Output 12) contributes to the implementation of Activity 1.6 ("Assessment with recommendations and identifying the specific needs, challenges and measures for institutional support for targeting the Roma street children and delivery of a training"). It further provides the main basis for the other two outputs of this Activity, which relate to the development and delivery of a training programme for representatives of relevant institutions and civil society organizations (NGOs).

1.2 Methodology

The assessment, which constitutes the basis for this report, made use of both secondary and primary research. The secondary research consisted of analysis of existing policies, legislation, procedures, and reports whereas the primary research took the form of discussions/interviews with relevant people within local and national state institutions, international organizations and NGOs and focus groups with the parents of Roma street children.

The research examined the following two main issues:

- The most significant legal provisions, and
- The procedures and practices with regards to the specific needs, challenges, and measures for institutional support for targeting Roma street children.

Legislation was examined through desk-top research and analysis of relevant laws. Existing studies on this matter were taken into account. Interviews and focus groups were used in reviewing procedures and practices. The protocols developed and used within the research are presented in Annex 1. Interviews were conducted with representatives of state institutions and civic organizations. Two focus groups were planned and held: one with parents of Roma street children and children above 12 years who are visiting a day-care centre and another with parents of Roma street children

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and children above 12 years who are not visiting a day-care centre. The developed focus group protocol is presented in Annex 1 of this report.

The research was conducted in the period September – October 2016. This Assessment Report presents the findings, conclusions and recommendations from the research.

2. DEFINITION - Who is a 'street child'?

There is no international agreement on the definition of 'street children', and the label of 'street children' is increasingly recognized by sociologists and anthropologists to be a socially constructed category that in reality does not form a clearly defined, homogeneous population or phenomenon.⁴

UNICEF developed the earliest definitions and categories of street children⁵:

CHILDREN OF TI	HE CHIL	DREN ON THE	STREET-FAMILY
STREET		STREET	CHILDREN
(street-living children) sleep in public spaces, w their families	vithout work on t day and r	orking children), who the streets during the return to their family ome to sleep	who live with their family on the street

But research and practice have demonstrated an enormous variation in children's experiences and considerable overlap between these three groups: for example, some children live on the streets all the time, others only occasionally or seasonally, while others move between home, street and welfare shelters. Some retain strong links with their families; others have broken or lost all contact.

Definitions continue to evolve. The wide variety of children's circumstances and characteristics, however, continues to present huge definitional challenges.

Street children are homeless children who live on the street – in particular, those that are not taken care of by parents or other adults. A great deal has been written defining street children. The problem is that there are no precise categories but rather a continuum ranging from children who spend some time in the streets but basically live at home to those who live entirely in the streets and have no adult supervision or care.

According to UNICEF, there is a difference between children on the street and street children:

- **Children on the street** are those engaged in some kind of economic activity ranging from begging to vending. Most go home at the end of the day and contribute their earnings to their family. They may be attending school and retain a sense of belonging to a family. Because of the economic fragility of the family, these children may eventually choose a permanent life on the streets.
- Street children are those children who live and sleep on the street all the time.

⁴ Poiple Shadow, "Street Children in Goa and India", web page, available at <u>http://www.poipleshadow.com/Street-Children-India-Charity</u>.

⁵ British Council, "Street Children," web page, available at <u>https://schoolsonline.britishcouncil.org/street-children</u>.

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The definition of Street children brings together the definitions of children of the street (street-living children), who sleep in public spaces, without their families and street-family children who live with their family on the street.

These definitions are accepted in the **Multidisciplinary protocol for treatment (identification and referral) with street children / children on the street in the country,** adopted by the Government and MLSP in February 2010.⁶

When it comes to the emergence of street children / children on the street in Macedonia and for determination of the term in this context, based on the received data from the ISA and the interviews with relevant institutions, we can say that there are only children on the street in Macedonia. In fact, most researches and analysis (2001; 2004; 2005) showed that in Macedonia the children staying on the street have homes and families, but the economic situation of the families is very low and there is a lack of parental care and protection. Most families of these children receive some form of social assistance from the state or from international organizations. Most of them are Roma children on the street.

⁶ Ministerstvo za trud i socijalna politika, Multidisciplinaren Protokol za postapuvanje (identifikuvanje i upatuvanje) so deca na ulica/ulični deca vo Republika Makedonija Republika Makedonija (Skopje: Ministerstvo za trud i socijalna politika, 2010), Section 6.2.

3. DATA COLLECTION

Based on different reports, different numbers of children on the street are being reported. Based on the 2005 Country Reports on Human Rights Practices to the U.S. Dept. of State Bureau of Democracy, Human Rights, and Labor, the children on the street in the country are of different age and ethnic groups, but most of them are Roma children. According to some estimates, there are between 500 and 1 thousand street children in the country, most of whom were Roma, but so far there is no official report containing figures on children on the street. Roma children are often organized into groups by Roma adults and made to beg for money at busy intersections, street corners, and in restaurants and cafes.⁷

In 2005, UNICEF reported that there are **some 1.000 "children on the street"**, **95 per cent of which are Roma.** ⁸ According to the same report, almost all children on the street do have a family but spend their daytime on the streets engaged in different activities (begging, cleaning windshields etc.). The majority of them live in improvised household "dwellings" with limited access to water and electricity; do not go to school; do not have health insurance and no access to regular medical services. Lack of birth registration has also been identified as a major problem among Roma children on the street.

Based on the Ombudsman reports⁹, citing data from the CSWs, in 2011 there were 719 children on the street in 8 cities: Kavadarci, Kichevo, Kochani, Kumanovo, Prilep, Resen, Skopje and Strumica. Occasionally children / families are recorded from other municipalities in Berovo, Debar, Gevgelija, Ohrid, Stip and Tetovo. According to the Ombudsman report this number is not final. There are a lot of children who are on the streets but are not recorded by the CSW and the day-care centres. Most of the children are engaged in begging, and fewer in cleaning the windscreens of cars, selling small items and wandering. In 2015 the Ombudsman reported that there were 236 children on the street who begs. The youngest children on the street were just a few months old, the oldest 17 years of age. In 2015 the problem of unregistered children in the birth registry records still persists. Efforts are being made for additional registration of children, but greater inter-institutional cooperation and collaboration from the parents of these children is needed. Some Roma children on the street have health insurance, but due to lack of funds they are not using the health services. There are children who cannot exercise their right to health care because they lack proper documentation.

During the research for the Assessment report, we were given official numbers of children on the street by the ISA based on the cases reported in the LIRIKUS database¹⁰. From the data it is obvious that most of the children on the street are Roma children. Also, there is a big difference in the data in the reports from the desk review and in the LIRIKUS base. For example, in 2015 in the LIRIKUS

⁷ United States Department of State, *Country Reports on Human Rights Practic<u>es: Macedonia (Washington, DC:</u> United States Department of State, 2006).*

⁸ UNICEF, Assessment of the Situation of Children on the Street (Skopje: UNICEF, 2005).

⁹ Naroden pravobranitel na Republika Makedonija, *Informacija za ulični deca/deca na ulica* (Skopje: Naroden pravobranitel na Republika Makedonija, 2011).

¹⁰ See ANNEX 2 for relevant data from the LIRIKUS database

database 189 children on the street were reported in the country, from which 183 are Roma children on the street. Of these, only in Skopje 122 children on the street were reported, from which 120 Roma children on the street.

In the improvised houses in the area of Kale are living <u>79</u> children (12 babies, 62 children in the age span from 2 till 15 years and 5 children from 15 till 18 years old). These children are living with their families, they are not visiting a day-care centre or school and most of the time they are working on the street alone or with their parents, begging or collecting plastic¹¹.

The day-care centre in Shuto Orizari during 2015 took care of <u>104</u> **Roma children on the street** from Shuto Orizari.

The day-care centre in Kisela Voda in 2015 worked constantly with <u>16</u> children with decision from the CSW and with an additional <u>30</u> in a period of adaptation to the centre pending a decision from the CSW.

The day-care centre in Gazi Baba in 2015 worked constantly with <u>18</u> children with decision from the CSW and they received <u>15</u> new children also with decision from the CSW. They also worked with <u>10</u> children in a period of adaptation to the centre pending a decision from the CSW.

Based on this information, only in Skopje in 2015 there were more than 250 children on the street, most of them Roma, but in the LIRIKUS database in 2015 there are only 122 children on the street that were reported in Skopje, from which 120 were Roma children on the street.

The difference in the numbers of children on the street is more than obvious and there is a need for better identification of the exact number of children on the street. Also there is a need for mapping and determining the reasons why these children are on the street, what are the needs of these children and their families. This is required as an initial starting point for policy making in any area, including within the fields of education, health, social policy and other areas.

However challenging, **obtaining accurate data on street children is essential for practitioners, policy-makers and donors** alike, who can use this information to better direct their programmes, policies and to target and evaluate their funding streams.

¹¹ Information from interviews and focus group.

4. REVIEW OF LEGISLATION

The Republic of Macedonia, as a state party to the Convention on the Rights of the Child, has the obligation to provide conditions for exercising and providing protection of the rights of the children. The **UN Convention on the Rights of the Child** (UNCRC)¹² applies to all children under the age of 18, including children living and working on the street. Although street children's rights are continually violated or overlooked, they are in greater need to have their rights realized because of the bigger risk they are exposed to while working or living on the street. A street environment is an extremely dangerous place to be for any child, and probably no other environment contributes more to potential violations of the UNCRC than a childhood and youth spent outside the institutional framework of family, community and school.¹³

The majority of articles in the UNCRC apply to street children because of their extreme poverty and particular vulnerability to the following: violence (Art. 19), disease (Art. 24), discrimination (Art. 2), sexual abuse and exploitation (Art. 34, 32), substance abuse (Art. 33), emotional deprivation (Art. 19, 31), exploitative and harmful child labour (Art. 32), denial of rights within the juvenile justice system (Art. 37, 40), arbitrary execution (Art. 6), torture (Art. 37), lack of access to education (Art. 28, 29), healthcare (Art. 24) and lack of identity documents (Art. 7).¹⁴

Macedonia has ratified all key international conventions concerning child labour.

Ratification of International Conventions on Child Labour

Conventions
ILO C. 138, Minimum Age
ILO C. 182, Worst Forms of Child Labour
UN CRC
UN CRC Optional Protocol on Armed Conflict
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
Palermo Protocol on Trafficking in Persons

In the Macedonian legislation, provisions concerning the protection of children, especially protection of street children/children on the street, uptake of measures and actions for protection from violation of their rights are incorporated in several legal acts such as: the Family Law, the Law on Social Protection, the Law on Justice for Children, the Law on Local Self-Government, the Law on Primary Education, the Law on Secondary Education, the Criminal Code, the Law on Health Care etc.

¹² United Nations, Convention on the Rights of the Child (New York, United Nations, 1989).

¹³ Poiple Shadow, "Street Children in Goa and India", web page, available at <u>http://www.poipleshadow.com/Street-Children-India-Charity</u>.

¹⁴ United States Department of Labor, *Findings on the Worst Forms of Child Labor* (Washington, DC: United States Department of Labor, 2015).

According to the **Constitution of the Republic of Macedonia**¹⁵, the parents have the right and duty to provide for the safeguarding of their children, and the State provides special protection for children without parental care. The legislative regulation of social protection in the Republic of Macedonia represents the basis for the socio-legislative regulation. The Constitution of the Republic of Macedonia guarantees the right to health care for every citizen. The Constitution sets forth that the state is obliged to provide special care for mothers, children and children without parents and parental care.

The Constitution and the Labour Relations Act set the minimum working age at 15. The Government has established laws and regulations related to child labour, including its worst forms.

Standard	Related Legislation
Minimum Age for Work	Article 42 of the Constitution; Labour Relations Act
Minimum Age for Hazardous Work	Labour Relations Act
Prohibition of Hazardous Occupations or	Rulebook on the minimum occupational safety and health
Activities for Children	requirements for young workers
Prohibition of Forced Labour	Article 11 of the Constitution
Prohibition of Child Trafficking	Articles 418-c and 418-d of the Criminal Code
Prohibition of Commercial Sexual	Articles 190, 191, 191-a, 192, 193, 193a, and 193b of the
Exploitation of Children	Criminal Code
Compulsory Education Age	Articles 4, 5 and 47 of the Law on Primary Education; Article 3
Computer y Education Age	of the Law on Secondary Education
Free Public Education	Article 44 of the Constitution

Laws and Regulations Related to Child Labour

In February 2014, the Government amended the **Family Law** to allow for revocation of parental rights to protect children from abuse and neglect by their parents. For cases in which the Centre for Social Work determines a second offense by a parent who is encouraging their child to beg, or if the child's life is endangered by begging, the CSW has the right to remove the child from the home and initiate the procedure to revoke parental rights, as well as to press criminal charges against the parent.

Also in February 2014, the Government amended the **Criminal Code** to introduce the crime of "prostitution of a child" to facilitate bringing criminal charges in cases of commercial sexual exploitation of children where there is a lack of sufficient evidence to prosecute for human trafficking. The Government also enacted an amendment to Article 418-d of the Criminal Code, Trafficking in Children, to update and broaden the language regarding methods of human trafficking and to impose harsher sentences for other crimes involving commercial sexual exploitation of children.

¹⁵ Ustav na Republika Makedonija, *Služben vesnik na Republika Makedonija* 52/1991.

The Law on Social Protection¹⁶ determines the system and organization of the social protection and social security, the rights of social protection and social security of the citizens, financing the provision of social protection, etc. Moreover, the Law on Social Protection regulates the concrete forms of protection for a child, when he/she does not have living conditions with his/her family. According to the law the protection can be institutionalized and non-institutionalized.

The Centre for Social Work is the central organ which decides on the measures for protection, conducts professional work and undertakes concrete measures, depending on the age and the needs of every child. The Government determines the network of public institutions for social protection and the law stipulates that the system of social protection includes the public and private institutions for social protection. The law envisages the possibility for conducting actions relating to the social protection by legal entities and natural persons. It proposes that objectives and tasks of the NGOs should also include provision of social protection services for persons, families and groups of citizens exposed to social risk. This provides the starting point for fulfilment of the obligations and needs for direct forms of care for the "Roma children on the street", as a specific category of children at risk. Article 9 provides that, in addition to measures of social protection of citizens established by this Law, action that can be taken for prevention of social risks includes measures in tax policy, employment policy for scholarships, housing, protection of the family, health, training and education and other areas in accordance with the law.

The Law on Social Protection also defines the right to daily care of children on the streets by means of receiving educational services, counselling work with children and their families, cultural, entertainment and recreational activities. This Law is substantially in compliance also with the role of social protection in the local self-government, including groups at risk, first and foremost, the "Roma children on the street".

The Ministry of Labour and Social Policy adopted a **Rulebook** ¹⁷on the norms and standards for establishment and starting with work of the institutions for social protection: Day-care centres for street children – children on the street. This Rulebook prescribes the norms and standards for the premises, equipment and professional staff important for the establishment and functioning of the day-care centres for street children – children on the street. According to the Rulebook the day-care centre, depending on the number of users, should have sufficient number of professional staff consisting of: social worker, pedagogue, psychologist or other professional worker, in accordance with the Law on Social Protection and with appropriate training on working with children.

 ¹⁶ Zakon za socijalna zaštita, *Služben vesnik na Republika Makedonija* 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, 30/2016.

¹⁷ Pravilnik za normativite i standardite za osnovanje i započnuvanje so rabota na ustanovi za socijalna zaštita - Dneven centar za ulični deca/deca na ulica, *Služben vesnik na Republika Makedonija* 33/2007.

The Multidisciplinary protocol for treatment (identification and referral) of street children / children on the street in the country¹⁸, adopted by the Government and the MLSP in February 2010 regulates the cooperation between the institutions and accurately determines their responsibilities in relation to street children / children on the street.

The Family Law¹⁹ regulates the relations in the family and refers to protection of the interests of the children. In that regard, parents are obliged to secure optimal conditions for healthy growth and development of their children within the family and the society. The Law on Family regulates parental rights, the rights and duties of parents and children, performing parental rights, supervision of exercise of parental rights, termination and extension of parental rights. The parental right is composed of the rights and duties of parents to look after the person, rights and the interests of their minor children with extended parental right. According to the Family Law, the parental right is exercised by the parents in accordance with the needs and interests of children and the interests of the community.

As regards the legal obligations of parents, this law is important for the "Roma children on the street" because it stipulates that parental rights can be denied or limited.

The parent may be deprived or limited exercise of parental rights under the conditions provided under Article 90 of the Family Law: "*The parent, who abuses parental rights or grossly neglects performing parental duties after receiving an opinion from the Centre for Social work, will be deprived of parental rights with a decision from the court*".

Misuse or brutal neglect of parental duties will be considered if the parent:

- Commits physical or emotional violence over the child;
- Sexually abuses the child;
- Forces the child to do work which does not correspond to its age;
- Allows to the child usage of alcohol, drugs or other psychotropic substances;
- Instigates the child towards unacceptable social behaviour (begging, prostitution or other unsocial behaviour, school dropout, etc.);
- Has abandoned the child and does not care about him longer than three months, or
- In any other way is brutally violating the child's rights.

The Law on Children's protection²⁰ provides the system, organization and manner of provision of children's welfare and it sets the general basis of the rights for protection of all children. It partially

 ¹⁸ Ministerstvo za trud i socijalna politika, Multidisciplinaren Protokol za postapuvanje (identifikuvanje i upatuvanje) so deca na ulica/ulični deca vo Republika Makedonija (Skopje: Ministerstvo za trud i socijalna politika, 2010), Section 6.2.
 ¹⁹ Zakon za semejstvoto, *Služben vesnik na Republika Makedonija* 80/1992, 9/1996, 38/2004, 33/2006, 84/2008, 67/2010, 156/2010, 39/2012, 44/2012, 38/2014, 115/2014, 104/2015 and 150/2015.

²⁰ Zakon za zaštita na decata, *Služben vesnik na Republika Makedonija* 23/13, 12/14, 44/14, 144/14, 10/15, 25/15, 150/15, 192/15, 27/2016.

and superficially mentions also the rights of the socially challenged children, in the most general sense of the word, by covering several rights. These rights do not include the right to free kindergarten services for children from socially challenged families.

According to **the Law on primary education**²¹ **and the Law on secondary education**²² every child has the right to primary and secondary education. Primary and secondary education is free and obligatory.

According to the Law on Health Insurance²³ and the Law for health protection²⁴, obligatory health care should be provided to the following categories of people: persons temporarily unemployed, while they receive financial compensation and the unemployed persons registered in the Bureau for Employment (unless they have other basis for insurance) such as beneficiaries of permanent financial assistance as well as foster families, as per the social welfare regulations.

The Law on Justice for Children²⁵ governs the treatment of children at risk and children who have committed acts envisaged by law as criminal offenses and misdemeanours; it determines the conditions for the application of measures of assistance, care and protection, as well as educational and alternative measures for punishment of children and young adults; it specifies the position, role and competence of the bodies participating in the treatment of children and implementation of educational and alternative measures and penalties. This Law regulates the measures for protection of child victims of acts envisaged by law as criminal offenses and child witnesses, as well as measures for prevention of child delinquency.

According to the Law on Justice for Children, a child is any person under the age of 18. A child at risk means any child who has reached the age of seven, and is younger than 18 years of age, with a bodily disability or with mental disability/ies, a victim of violence, educationally and socially neglected, who is in such a condition that it is difficult or impossible to achieve the educational function of parent/s or guardian/s, who is not included in the system of education and upbringing, who is drawn into begging, wandering or prostitution, who uses drugs and other psychotropic substances and precursors or alcohol, and who, because of such conditions, is, or may come into contact with the law as a victim or witness in an act which by law is envisaged as a misdemeanour

²¹ Zakon za osnovno obrazovanie, *Služben vesnik na Republika Makedonija* 103/2008, 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.

 ²² Zakon za sredno obrazovanie, *Služben vesnik na Republika Makedonija* 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.

 ²³ Zakon za zdravstveno osiguruvanje, *Služben vesnik na Republika Makedonija* 25/2000, 34/2000, 96/2000, 50/2001, 11/2002, 31/2003, 84/2005, 37/2006, 18/2007, 36/2007, 82/2008, 98/2008, 6/2009, 67/2009, 50/2010, 156/2010, 53/2011, 26/2012, 16/2013, 91/2013, 187/2013, 43/2014, 44/2014, 97/2014, 112/2014, 113/2014, 188/2014, 20/2015, 61/2015, 98/2015, 129/2015, 150/2015, 154/2015, 192/2015, 217/2015, 27/2016, 37/2016.

²⁴ Zakon za zdravstvena zaštita, *Služben vesnik na Republika Makedonija* .43 / 2012, 145/2012, 87/2013, 164/2013, 39/2014, 43/2014, 132/2014, 188/2014, 10/2015, 61 / 2015 154/15, 192/15, 17/16, 37/16.

²⁵ Zakon za pravda za decata, *Služben vesnik na Republika Makedonija* 148/13.

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or crime. A child victim means any child under 18 who has suffered harm, including physical or mental injury, emotional suffering, material loss or other injury or violation of a child's rights and interests as a result of a committed act envisaged by law as a crime.

Measures are measures of assistance and protection stipulated by law which do not consist of deprivation and restriction of children's freedoms and rights for having committed an act envisaged by law as a crime or a misdemeanour or a state of risk, that may be applied against the child, parent/s or guardian/s by a court or other authorities specified by this Law. The measures of assistance and protection measures stipulated by the law are in the area of education, health, social, family and other forms of protection. Sanction is the legal consequence of an action that is by law considered a criminal offense. The sanction consists of assistance and protection or restriction or deprivation of certain rights and freedoms of a child aged 14 to 18 years because of the action committed that is by law seen as a crime or misdemeanour. The judgment is pronounced following the procedure stipulated by the Law on Justice for Children.

According to the **Criminal Code²⁶**, a parent, adoptive parent, guardian or other person who grossly neglects his/her duty of caring for the child, the upbringing of the child or mistreats the child, shall be punished with imprisonment of one to ten years. This sentence will apply to punish a parent, adoptive parent, guardian or other person who forces a child to do work that is not appropriate for his/her age and who uses physical force or induces him/her to begging or performing other actions that are harmful to his/her development.

The **Law on offenses against public order and peace**²⁷ prescribes that a person who will be caught begging will be punished with a fine from 15 to 50 euro. A parent or guardian whose child, due to neglect in caring, performs violations of this law shall be imposed a fine from 600 to 800 euro.

Among the laws that cover this specific area, the **Law on Registry**²⁸ is also relevant. This Law covers the processes for registration of births, marriages and death certificate issuance. Thus, it regulates the registration of Roma in the official state Register. This law clearly stipulates that health institutions are obliged to register all newborns born at the health institutions' premises. If the child is not born in a health facility, then the registration is to be done by the father or the persons in whose apartment the child is born. The mother can also register the newborn once she is able to do so, or the registration can be done by the health workers who participated in the delivery. If there are no such persons or they are not able to register the birth, then the child can be registered by a person who learned of its birth.²⁹

 ²⁶ Krivičen zakonik, *Služben vesnik na Republika Makedonija* 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 7/08, 139 / 08, 114/09, 51/11, 135/11, 142/12, 166/12, 55/13, 82/13, 28/14, 196/15.

²⁷ Zakon za prekršoci protiv javen red i mir, *Služben vesnik na Republika Makedonija* 66/07, 152/15.

²⁸ Zakon za matična evidencija, *Služben vesnik na Republika Makedonija* 8/1995, 38/2002, 66/2007, 98/2008, 67/2009, 13/2013, 43/2014, 148/2015, 27/2016.

²⁹ For a detailed analysis of the situation of Roma in relation to birth registration in Macedonia, see EPTISA, *Review Report of Legislation, Procedures and Practices, with Recommendations Related to Citizen's Status and Personal Identification Documents for Roma* (Skopje: EPTISA, 2016).

According to the **Law on Housing**³⁰, the primary right to be granted a non-profit apartment for rent is reserved for people at social risk who in the area of the local government unit in question are percentage dominated. This can include low-income families, young people especially excelling in certain areas, young married couples, single parents, pensioners over 60 years of age who do not own an apartment and other categories of persons at social risk.

The Law for Local Self-Government³¹ provides that municipalities are responsible for social care and child protection – kindergartens and homes for the elderly (ownership, financing, investments and maintenance); provision of social care for disabled persons; children without parental care; children with educational and social problems; children with disabilities; children from single-parent families; street children³²; persons exposed to social risk; persons with drug and alcohol abuse; raising awareness; housing for people at social risk; exercising the right and education of preschool children. The exercise of these powers is in accordance with the National Programme for Development of Social Protection.

The Law for financing the local self-government³³ prescribes that the municipality can get money from the state budget for Block grants. A block grant is a grant intended for financing the competencies in a certain area determined by law. Block grants are used to finance the responsibilities set out in Article 22 points 5, 7, 8 and 9 of the local government, through specific programmes.

Policy	Description		
on the Streets (7013-	Aims to combat the harmful effects of street work by providing such children wi services, including education. Intends to provide a systemic and holistic respon to the issue of children on the streets, with an emphasis on social services, heal care, and inclusion in the educational system.		
against Trafficking in Persons and Illegal	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, reducing the demand for sexual services, improving victim identification, and increasing efforts to combat trafficking in persons for forced begging and labour exploitation. As part of the Plan, in 2014, the Department of Justice set up a fund for the compensation of victims.		

Policies Related to Child Labour³⁴

³⁰ Zakon za domuvanje *Služben vesnik na Republika Makedonija* 99/2009; 57/2010; 36/2011; 54/2011; 13/2012; 55/2013; 163/2013; 42/2014; 199/2014; 146/2015, 31/2016.

³¹ Zakon za lokalna samouprava, *Služben vesnik na Republika Makedonija* 5/2002.

³² *Ibid.*, Article 22.

³³ Zakon za finansiranje na edinicite na lokalnata samouprava, *Služben vesnik na Republika Makedonija* 61/2004; 96/2004; 67/2007; 156/2009; 47/2011, 192/2015.

³⁴ United States Department of Labor, *Findings on the Worst Forms of Child Labor* (Washington, DC: United States Department of Labor, 2015).

³⁵ Ministerstvo za trud i socijalna politika, *Akciski plan za deca na ulica 2013-2015* (Skopje: Ministerstvo za trud i socijalna politika, 2013).

³⁶ Vlada na Republika Makedonija, *Nacionalen akciski plan za borba protiv trgovija so luge vo Republika Makedonija za 2013-2016* (Skopje: Vlada na Republika Makedonija, 2013).

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Policy	Description
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020) ³⁷	Addresses children's rights, such as social protection, social inclusion, health, education, and employment. Includes goals of increasing birth registration among Roma and other minorities, expanding patrol services to identify and support street children, and improve the provision of social services for children involved in street work and begging. Implemented by the MLSP.
Countering Abuse and Neglect of Children	Aims to provide a safe living environment for children by improving prevention and detection of abuse and neglect of children, as well as by providing treatment and rehabilitation of children who have been victims of abuse and neglect. Outlines a plan for the implementation of these improvements on a national and local level.
National Plan of Action on the Rights of the Child (2012–2015) ³⁹	Aims to promote equity, inclusion, and efficiency in the provision of services for children, such as health care and education. Includes providing direct assistance to withdraw children from child labour, rehabilitating victims, and providing children with better access to primary education.

³⁷ Ministerstvo za trud i socijalna politika, *Nacionalna Strategija za namaluvanje na siromastijata i socijalnata isklucenost vo Republika Makedonija 2010-2020* (Skopje: Ministerstvo za trud i socijalna politika, 2013).

³⁸ Vlada na Republika Makedonija, *Nacionalen Akcionen plan za prevencija i sprečuvanje na nasilstvo i zloupotreba na decata, 2013-2015* (Skopje: Vlada na Republika Makedonija, 2013).

³⁹ Vlada na Republika Makedonija, *Nacionalen Akcionen plan za pravata na decata, 2012-2015* (Skopje: Vlada na Republika Makedonija, 2012).

5. EXAMINATION OF PROCEDURES AND PRACTICES

5.1 Measures for support for Roma street children

The appearance of a large number of street children – children on the street is a long, complex, personal, family and social problem. The problem of street children – children on the street is not new and it appears almost everywhere in the world, but it is thought to be especially severe in countries in transition, such as our country.

In our country, the Centre for Social Work is a competent institution that works with this category of children and their families from the appearance, recording, observation, psychosocial interventions, and referral to day-care centres for street children, legal assistance, securing the right to health protection, provision of personal documents (registration in the register), and inclusion in regular education.

Social services:

The Macedonian Government in 2010 adopted a multidisciplinary protocol for dealing with street children in the country. It introduced a unified, standardized and unique way of dealing with street children for all concerned state bodies and NGOs acting in these cases. After the identification and records, the CSW as a competent authority makes the choice of institutional and non-institutional arrangements for child protection. If teams from NGOs or Local Self-government identify the child in the street, they are obliged to inform the local CSW.

After locating, identifying and assessing the child, the child may be sent to:

- Day-care centre for street children / children on the street ⇒ the procedure of sending to a day-care centre involves informing the parents about the benefits of visiting a day-care centre, as well as activities that are conducted with the children by the professional team at the day-care centre. The process of informing is based on motivating parents to give consent for their child to go to the day-care centre. If the CSW does not have the capacity for accommodation of this kind, it can refer the child to a day-care centre operated by a NGO or the local government.
- 2. Institution Children's Home "11th Oktomvri" Skopje. If an expert team discovers that the child was abused or the parental duties are grossly neglected, the CSW set up proceedings for deprivation of parental rights and at the same time informs the MoI. Parental rights can be revoked for a period of time or in full. Once the parental rights are taken away, or during the proceedings, the CSW may refer the child in the home for children without parents "11th Oktomvri" Skopje.
- 3. If the child is characterized with social behaviour problems and is between the ages of 7 and 18 it can be referred to the Institution for care of children and youth with educational social

problems – Skopje. If the child's behaviour is found to be disruptive (and he/she is aged 10 to 18) and he/she is sentenced to an educational measure of referral to an educational institution the child can be sent to the Institute for care, upbringing and education of children and youth "Ranka Milanovic" - Skopje.

- 4. If the child with disabilities is on the street, according to the disability it will be referred to either a day-care centre for children with mental disabilities, an institution for people with physical disabilities, or a small group home.
- 5. The child may be addressed in an appropriate foster family.

In order to prevent and improve the social protection of street children, in 2012 a programme of patrol social work was started. Three teams made up of three social workers each patrolled the municipalities of Centre, Gazi Baba and Gjorce Petrov in Skopje in order to detect and solve social issues, which is being envisaged by the project "Social Patrol Work" of the Ministry of Labour and Social Policy. The task of the patrolling social workers is detection and resolution of all social problems that are not only of a material nature (e.g. homelessness, street children, begging, domestic violence, the elderly, drug addicts, disabled persons, disturbed family relations).⁴⁰

There is a national helpline 15 505 through which every citizen can report a child in the street, from where the CSW will be informed, which then takes measures to protect the child in accordance with the legal regulations.

Building upon an initiative by the Roma civic sector, the MLSP runs its project entitled Roma Information Centres (RICs) since 2007. As part of their tasks, the RICs provide support in birth registration, obtaining personal documents and exercising various other rights. A total of 12 RICs exist in the following municipalities: Berovo, Bitola, Chair, Delchevo, Gostivar, Kochani, Kumanovo, Prilep, Shtip, Shuto Orizari, Tetovo, and Vinica.

In terms of indirect protection of street children and reducing child poverty, the Ministry of Labour and Social Policy in accordance with the Operational Plan for employment included parents of street children in the active employment measures for 2012-2013 and also in the 2016 Operational Plan for Employment⁴¹.

Education:

Ministry of Labour and Social Affairs is the coordinator of the project "Inclusion of Roma children in municipal Public institutions Kindergartens" and all activities for inclusion of Roma children (from

⁴⁰ Ministerstvo za trud i socijalna politika, "Patrolna socijalna rabota," web page, available at <u>http://www.mtsp.gov.mk/patrolna-socijalna-rabota.nspx</u>

⁴¹ Ministerstvo za trud i socijalna politika, *Operativen plan za aktivni programi i merki za vrabotuvanje i uslugi na pazarot na trudot za 2016 godina* (Skopje: Ministerstvo za trud i socijalna politika, 2016).

socially disadvantaged families) in preschool education. The number of these children in 2012/13 totalled 425 children enrolled in kindergarten, and all were supported by the state.

There is a conditional cash transfer programme for secondary education that aims to improve access and quality of education for students in secondary education who come from households that are beneficiaries of social welfare. This programme provided additional cash benefits for students, whose right to receive the benefits is conditioned on enrolment and attendance in secondary education. The aim of this cash transfer programme is to increase the number of people enrolled in secondary education from households that are beneficiaries of social assistance and thereby ensure the implementation of compulsory secondary education in the country. **There is no programme providing additional cash benefits for Roma Street children conditioned on enrolment and attendance in primary education**.

Even though available information suggests that the overall coverage of Roma by the education system in Macedonia is increasing, street children and children seeking to enrol in school for the first time between the ages of 10 and 14 face specific barriers to participation in education. There is no sustainable programme for education of children who have overcome the age that will allow these children to get involved in the education system. There is a lack of organized vocational training and other job skills trainings for street children placed in day-care centres according to their needs for their economic empowerment and increasing the possibility of independent existence in adulthood.

<u>Health:</u>

There is no special programme for health care for Roma children on the street. This is a category of citizens and children who often lack health insurance. The Government through the Ministry of Health and the adopted programme for providing health protection of categories of citizens who cannot be insured on any basis, provides health care and care for Roma street children (systematic reviews, examination of teeth, opening the card for immunization and implementation thereof, treatment of diseases and referral facilities for secondary and tertiary care). An additional problem also exist with the Roma street children to hospitals because of lack of finance for transportation, participation and medicaments which sometimes should be paid.

The Roma Health Mediators (RHMs) programme was launched in 2011 when the Ministry of Health of the Republic of Macedonia adopted the Strategic Framework on Improving the Health and Social Status of the Roma in the Republic of Macedonia by Introducing Roma Health Mediators (RHMs). Since then, the programme has continued to be implemented by means of: (1) drafting a training programme for RHMs; (2) training of 32 RHMs in two separate stages (pursued in 2012 and 2013 respectively); (3) assigning the first group of RHMs who had passed the aforementioned training to 8 different municipalities across Macedonia; (4) assigning 8 new RHMs to 5 municipalities in Macedonia; (5) continuously educating the RHMs assigned; and (6) introducing systems of keeping records, collecting relevant data and evaluating the overall condition of the Roma population in the

country when it comes to their health and access to healthcare. There are currently 11 active Roma health mediators in the country (2 RHMs in Shuto Orizari, 1 in Karposh, 1 in Gjorce Petrov, 1 in Gazi Baba, 2 in Tetovo, 2 in Gostivar, 1 in Kochani and 1 in Delchevo)⁴².

Child Labour:

In 2014, Macedonia made a minimal advancement in efforts to eliminate the worst forms of child labour. The Government introduced legislation to prohibit the use of children in illicit activities and amended the Family Law to facilitate children's removal from situations of exploitative child labour in their homes. Additionally, the Ministry of Justice set up a fund for the compensation of victims of human trafficking, including child trafficking victims. However, children are engaged in child labour, including in begging and the worst forms of child labour, including in commercial sexual exploitation. The number of day-care centres and Centres for Social Work (CSWs) remains insufficient to provide shelter and other services to all vulnerable children in need of assistance. In addition, the National Plan of Action on the Rights of the Child and the National Action Plan against Trafficking in Persons and Illegal Migration lack the necessary funding for effective implementation. Children in Macedonia are engaged in child labour, including in begging. Children are also engaged in the worst forms of child labour, including in begging.

The majority of children involved in child labour in Macedonia engage in street work such as begging and vending cigarettes and other small items in open markets, in the streets, and at bars and restaurants. Some children engage in begging to help support their impoverished families, while others are forced to beg. The majority of children involved in street work, including begging and forced begging, are of the Roma ethnicity.

The majority of victims of child trafficking in Macedonia are girls in the ages 14 to 17 who have been trafficked domestically for commercial sexual exploitation and forced labour in bars and nightclubs. Girls in Eastern and Central Macedonia have been identified as being at particularly high risk for human trafficking. Girls, particularly Roma girls, are also trafficked for forced marriages, which may result in both sexual and labour exploitation.

During the first ten months of 2015, based on the programme for the eradication of begging, the CSW and the MoI continually implemented regular actions for recording of street children - twice a week. During this period, in April and June 2015, two extraordinary actions were realized in cracking down on the socio-pathological phenomenon of begging.

⁴² Source: Interview with Mr. Senad Memedi, Department for EU Integration, Ministry of Health

⁴³ United States Department of Labor, *Findings on the Worst Forms of Child Labor* (Washington, DC: United States Department of Labor, 2015).

5.2 NGO's support for Roma street children

The Prevention programme within the NGO "SOS Children's Village Macedonia" has been functioning since 2007 in two locations on the territory of Skopje, through two counselling centres for parents and children, located in the municipalities of Gazi Baba and Shuto Orizari. The target group is families with young children, most of them Roma, where children are at risk of losing the care of their parents / guardians, due to the presence of one or more conditions of social risk faced by the families. As of November 2015, through their two Counselling Centres, the NGO "SOS Children's Village Macedonia" supported a total of 746 children from 215 families (260 parents/ guardians). Out of the total number of families, 41 families with a total of 180 children fall into the category of children on the street.

The NGO HOPS is implementing two programmes: Services and Representation. One of the target groups that they are working with are drug users including Roma children on the street using drugs. In 2014 HOPS conducted mapping of street children / children on the street who use drugs. Commonly used drugs are opiates / narcotics as glue, diazepam, marihuana, methadone and heroin. Since 2015, HOPS started working directly with street children / children on the street with a parent or guardian in providing social services. HOPS provides social services: information, motivation for treatment, and use of services. In the country there is no treatment for children who are drug users. For older minors (16-18 years old) therapy is carried out in the Clinic of Toxicology. In order to receive the therapy, the consent from a parent / guardian is needed together with proof of a psychiatric evaluation. The treatment lasts 3 months and must be paid. From 2014 till now HOPS has recorded 42 street children (41 - Roma, 1 Macedonian) drug users. There is a need for centres to treat children who use drugs that will offer rehabilitation and re-socialization, as well as educational process.

The NGO MIR in 2007 worked with Roma children on the street, but due to lack of financing now they only work with social families. 32 children on the street were included in the activities of the NGO MIR in 2007.

The NGO UMBRELA is not working directly with Roma children on the street, but it provides assistance in obtaining personal documents, birth certificates, additional entries, and health insurance.

The NGO HERA is running a youth centre "I want to know" in Shuto Orizari. It offers the following services: immunization, dermatologist, counselling with a psychologist from 4 to 18 years of age and education (about tuberculosis, pregnancy, non-violence, child marriage, sexual reproductive health, use of drugs, and hygiene), medicines, and health care. Children on the street often visit the centre (from 2006) in the presence of a parent, a person from the day-care centre in Shuto Orizari or a brother or sister. HERA's centre cooperates with: the day-care centre in Shuto Orizari, the state day-care centre in Kisela Voda, the CSW and the MLSP. The monthly attendance level varies and reaches up to 20 children.

The NGO "First Children's Embassy in the World Megjashi" was running a day-care centre for street children from 2007 to 2014 and most of the persons attending were Roma children. The NGO "Association for Protection of Children's Rights" runs the day-care centre "Educational and fun day centre for street children" located in Shuto Orizari.

5.3 Day-care centres for street children

The first day-care centre for street children was opened by the Ministry of Labour and Social Policy in December 2004 on the territory of Skopje and the second was opened in December 2007. The day-care centres for street children are visited by children from 4-14 years of age. They are all previously evidenced on the street by professionals and have prior written consent by a parent / guardian or another adult who cares about them before attending the day-care centre for street children. Every day the children are taken from their homes with a vehicle from the day-care centre and then transported the same way back home.

The day-care centres for street children - children on the street is a place where children spend part of the day, where they feel safe and cared for. In such a setting and with the help of experts they receive services to meet their needs. The day-care centres provide educational and educational services; advising children; counselling work with families of children; Cultural and entertainment services; and recreational services.

The main objective of the day-care centre for street children – is social inclusion of these children or their removal from the street. Besides the main goal, the other goal of the day-care centres for street children is reducing the negative impact of the street on these children. For that, they must be informed of the benefits of inclusion in the regular education process, motivating them for faster inclusion, developing their cognitive and intellectual potential, fostering their creative abilities, helping children to build a positive attitude towards themselves, to others, to school, to life in general, raising their self-esteem, creating awareness about their rights, developing health culture, and establishing hygienic habits.

The Ministry of Labour and Social Policy opened three day-care centres for street children (two in Skopje and one in Bitola) and a transit centre in Ohrid, which is intended for interventional placement of street children for a period of 24-48 hours. During the period of analysis for this report the daily centre in Bitola was closed, and the day-care centre in Gazi Baba was under renovation so the children from the day-care centre in Gazi Baba were attending the day-care centre in Kisela Voda.

In addition to the state run day-care centres, in Skopje there is a day-care centre for street children in the municipality of Shuto Orizari which is governed and operated by an NGO. The day-care centre "Educational and fun day centre for street children" located in Shuto Orizari is managed by the NGO "Association for Protection of Children's Rights". It incorporates daily with 60-100 children while occasionally are coming 12 children who are working on their independence. The daily work in day-care centre is conducted by professional team of social worker, psychologist and educator. In the

Municipality of Aerodrom (Skopje) a day-care centre run by the NGO "First Children Embassy in the World Megjashi" worked from 2007 to 2014, but it was closed due to financial reasons.

For the purposes of this Assessment Report, the state run day-care centre for street children in Kisela Voda and the day-care centre for street children run by the NGO Association for Protection of Children's Rights in Suto Orizari were visited. The day-care centre in Kisela Voda is temporarily being attended also by the children from the day-care centre for street children in Gazi Baba due to the renovation of the day-care centre in Gazi Baba.

5.3.1 Day-care centre for children on the street - Kisela Voda

The day-care centre for street children in Kisela Voda is located within the premises of the kindergarten "VESELI CVETOVI", in the municipality of Kisela Voda. Most of the children who were attending the day-care centre in Kisela Voda and in Gazi Baba are Roma children on the street. Children learn about basic hygiene habits, and acquire basic educational content that will help them more easily to engage in the educational process. Children receive one meal, and often they are given cloths. Children every day are taken from their homes with a vehicle from the day-care centre. According to experts at the centre, there is need for additional qualified and trained staff and appropriate teaching-aids for working with the children.

In 2015, the day-care centre in Kisela Voda worked constantly with 16 children with decision from the CSW and an additional 30 children in a period of adaptation to the centre pending a decision from the CSW.

The day-care centre in Gazi Baba in 2015 worked constantly with 18 children with decision from the CSW and they received 15 new children also with decision from the CSW. They also worked with 10 children in a period of adaptation to the centre pending a decision from the CSW.

5.3.2 Day-care centre for children in Shuto Orizari

The day-care centre for street children in Shuto Orizari is run by the "Association for Protection of Children's Rights". It is operating since 2006 and is located in the premises of the kindergarten "SNEZANA" in the municipality of Shuto Orizari.

The Centre works with street children from Shuto Orizari, as well as their family. This day-care centre is perceived as a centre where the children can realize their needs and obtain the necessary information. Children, who visit the centre in Shuto Orizari, are recorded as children dealing with begging. One of the goals of the day-care centre is social inclusion of Roma children and removing them from the streets or involvement of children in society, especially in the upbringing and educational process.

Children who visit the centre daily receive one meal a day, clothing, footwear, knowledge and skills

to maintain hygiene through creative - educational workshops. In 2015, the day-care centre in Suto Orizari took care of 104 Roma children on the street from Shuto Orizari.

6. CONCLUSIONS

- 1. The **emergence of Roma children on street in the country is still present**. Records of these children are carried out by the CSWs and evidenced in the LIRIKUS database.
- 2. There is no accurate data on children on the street and no accurate data on Roma children on the street. The reason for this is the separate evidence collection by NGOs and by CSWs, but also the lack of capacities of the CSWs to register all children on the street.
- 3. The CSWs throughout the country in 2015 registered children on the street of all age groups, from which most common are children of Roma ethnicity, and some of them do not have birth certificates.
- 4. There is still a **problem with birth certificates** from the birth registry for some Roma children on the street. There are several reasons for this phenomenon: children born at home and unreported, children without birth certificates, parents who are foreign nationals, etc., which creates a problem of involving children in the social and health care, as well as in the formal educational process.
- 5. There is an absence of support to the Roma children on street by the Local Authorities, that is, the Municipalities, who are the key factor in enhancing the child protection system. There are weaknesses in data gathering and a great need to create a new data gathering system for local authorities, to feed into national level databases.
- 6. There is a **lack of day-care centres for children on the street**. There are no day-care centres in all cities where children on the street are registered. Even in the cities where day-care centres are open, the capacity is not satisfactory. There is a need for more professionals working with the children, bigger space, but also more vehicles that will bring more children at once in the day-care centres.
- 7. There is a lack of organized vocational training and training in other job skills for Roma children on the street who are of working age and attending a day-care centre.
- 8. Children on the street who do not attend day-care centres are not covered by work / treatment by professionals. There is no activation of these children in socially useful activities.
- 9. There is an absence of treatments / work with parents of Roma children on the street and the level of awareness and the responsibility of the parents of Roma children on the streets about responsible parenthood, the importance of early childhood development, addictions and family planning is very low.

- 10. Not all Roma children on street are included in the educational process. Part of the Roma children on the street are out of school because they exceeded the age for enrolment in the first grade. There is no programme for the education of children who have passed the age for enrolment in the first grade. Even though available information suggests that the overall coverage of Roma by the education system in Macedonia is increasing, Roma children on the street seeking to enrol in school for the first time between the ages of 10 and 14 face specific barriers to participation in education.
- 11. There is a lack of cooperation with vocational schools (career departments) to train Roma children on the street who have completed primary school.
- 12. There is a lack of volunteering and internship opportunities for students studying at the departments of social work and politics, psychology, pedagogy and other related departments, and other stakeholders in order to strengthen the capacity of institutions / organizations, mobile teams, kindergartens and primary schools in the work with Roma children on the street.
- 13. There is no inclusion of Roma children on the street in the Kindergartens. Roma children on the street are not included in the project "Inclusion of Roma children in municipal Public institutions Kindergartens", coordinated by the MLSP and supported by the state.
- 14. There is an insufficient and unsystematic level of health care and treatment of Roma children on the street by health institutions, particularly as relates to treatment of addicts and children with mental and other disabilities.
- 15. There is no organized system of mandatory regular medical checks for Roma children on the street and their regular immunization.
- 16. There is a lack of programmes that will include Roma children who lack birth certificates and that can help them to enter in the health care system of the country.
- 17. There are **no centres to treat children who use drugs** that will offer rehabilitation and resocialization.
- 18. There is an absence of organized and free legal assistance, support and advice for parents and Roma children on the streets (especially for offenders, children at risk, addicted parents and regarding underage marriages) about the legal consequences of such action.
- 19. Professional teams working with Roma children on the street (from the CSW and the NGOs) do not receive regular training to strengthen their capacity and professional skills.

7. RECOMMENDATIONS

Based on the findings above, the following actions are identified as needed in order to advance the inclusion and support of Roma children on the street:

- Establishing a system of data on children on the street. Obtaining accurate data on children
 on the street is essential for practitioners, policy-makers and donors alike, who can use this
 information to better direct their programmes, policies and to target and evaluate their funding
 streams. In order to achieve the creation of a holistic and rights-based approach to children
 on the street, a comprehensive and coordinated system of data collection is needed, including
 disaggregated data so as to be able to identify discrimination and/or disparities in the
 realization of rights. For the direct field work and identification of the Roma children on the
 street the RICs and the Roma Health Mediators can be used.
- 2. Increased involvement of the Local self-government units in the protection and inclusion of Roma children on the street. The municipalities are responsible for social care and child protection children on the street, children without parental care; children with educational and social problems, housing for people at social risk; and exercising the right and education of preschool children. Increased involvement of local self-government is required in order to take care of the social problems of the population, especially for the protection and realization of rights of Roma children on the street. The municipality can get funds from the state budget for so called Block grants which can be used for opening day-care centres for children on the street run by the municipality, and/or for establishing multidisciplinary mobile teams for children on the street.
- 3. Establishment of mobile teams on local level in the municipalities. Mobile teams should consist of patrol social workers, police officers, and lawyers who would provide outreach to children in day-care centres and on the street, as well as to their parents (in the centres, CSW and homes). The role of the mobile teams would include identifying children on the street, providing direct assistance and information in the field, organizing meetings with parents of children on the street for familiarization with the legal provisions on certain issues (underage marriages, issues of public order, etc.), and raising awareness of the local community. For children on the streets who do not attend day-care centres, the mobile teams could facilitate the entry into socially useful activities, particularly related to the help and support of other socially vulnerable groups (e.g., elderly, sick, etc.).
- 4. <u>Mapping of the Roma children on the street and their families by the Local self-government units.</u> Municipalities should conduct detailed mapping of the families whose children are on the street and examine the problems that they are dealing with in order to find a concrete way to help them. Also, the mapping should involve the families that are at risk and from which it can be expected that in the future the children can become children on the street (i.e., children at risk for becoming children on the street).

- 5. **Providing a birth certificate for all Roma children on the street.** A separate database should be established for children on the street, using all available means to provide these children with birth certificates (ex. DNA test).
- 6. <u>Increasing the number of day-care centres for children on the street.</u> More centres should be opened in the areas where this category of children live in order to provide greater access and work with these children and their families in order to re-socialize and reintegrate the children who are on the street, by engaging them in useful activities. The new day-care centres should be located near the places where Roma children on the street live or where they reside.
- 7. <u>Provision of material assistance to improve the living conditions of the Roma children</u> <u>on the street.</u> Poor living conditions directly endanger the welfare of children, such that appropriate assessment and family support for their improvement are necessary. Assistance in improving living conditions should be provided by supporting the purchase of building materials, furniture (e.g., school children's desks and closets), and household appliances, as well as of clothes, food, and hygiene materials for children. The dynamics of providing material goods should be conducted according to the goals set by a family development plan corresponding to the needs and priorities of each family separately.
- 8. **Development of Prevention Programmes**. The CSWs should take measures to prevent children from at-risk families from becoming children on the street, providing adequate protection and proper education, improving the living conditions of families who have children on the street, helping with employment of parents of children on the street, and improving the quality of life of these people and their social inclusion. Continuous meetings and work with the families of children on the street are needed to educate children and parents about rights (including the rights of the child) and the concomitant obligation to provide conditions for the proper growth and development of the child. The CSWs should also take measures for the realization of all rights of children on the street, especially in terms of birth registration, health care, and education.
- 9. Delegation of the activities related to the parents and the Roma children on street to the <u>NGOs.</u> Taking into account the limited capacity of the institutions of the state to address the issues faced by Roma children on the street and their parents as well as the good practices demonstrated by some NGOs in this area, cooperation should be developed between relevant state institutions and specialized NGOs. Social contracts between a few such NGOs on the one hand and the MLSP and the CSWs on the other are a positive example in this regard.
- 10. <u>Inclusion of Roma children on the street in municipal public kindergartens.</u> Having in mind the particular importance of pre-school education for members of vulnerable groups, the project "Inclusion of Roma children in municipal Public Kindergartens" under the MLSP should be expanded to cover also Roma children on the street.

- 11. <u>Introduction of a conditional cash transfer programme for primary education.</u> A programme of cash compensation for primary education for Roma children on the street conditioned on enrolment and attendance in primary education has potential to increase the number of Roma children on the street enrolled in compulsory primary education in the country.
- 12. Introduction of educational programmes for Roma children on the street who have passed the age for enrolment in the first grade. The specific barriers faced by children seeking to enrol in school for the first time between the ages of 10 and 14 should be addressed through programmes which allow them to enter the education system at a level appropriate to their needs and abilities.
- 13. Development of programmes for free health care tailored for Roma children on the street. Access to free primary, secondary and tertiary healthcare should be provided for Roma children on the street. Additionally, centres should be opened for providing treatment to children addicted to psychotropic substances, offering rehabilitation, re-socialization, and integration into the formal educational process.
- 14. <u>Provision of ongoing education and training of professionals who deal with Roma</u> <u>children on the street.</u> Professional staff of CSWs, day-care centres, and other relevant institutions should be involved on a regular basis in trainings, seminars and other means of improving and strengthening their knowledge, capacity and skills for working with children on the street and members of their families.
- 15. <u>Agreement for internships with the Institute of Social Work and Policy, the Institute of</u> <u>Psychology and the Academy for Pedagogy for work with Roma children on the street.</u> A programme should be established to allow upper-year students of the Department of Social Work and Social Policy, Psychology and related departments to undertake internships based on work with Roma children on the street in the framework of their studies. Direct cooperation between the MLSP and the heads of faculties and teaching staff should be established for this purpose.
- 16. Fostering of regional cooperation and exchange on the issue of inclusion and support of <u>Roma children on the street.</u> State institutions in particular and NGOs need to remain involved in initiatives for the exchange of practices and experiences on issues affecting Roma children on the street in the countries in the region. Similarities among these countries provide a basis for cross-border learning in an effort to identify and replicate best practices. For example, Serbian experiences with mobile teams for Roma inclusion can be consulted in designing programmes for Roma children on the street in Macedonia.

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ANNEX 1: Research instruments

INTERVIEW PROTOCOL

I. Introduction

Present yourself. Briefly present the Local Integration of Refugees, Internally Displaced Persons and Minority Groups project, the purpose of the interview, and the intended use of collected information and data.

Ask for permission to take notes.

Explain again that the expected duration of the interview is approximately 90 minutes.

Follow the interview guidelines set out below, but make necessary adjustments to respond to the interviewee's specific position, responsibilities and experience. Provide sufficient space for the interviewee to make additional comments and state their opinion.

Ask for permission to contact the interviewee again for additional information and clarifications.

II. Contact information

Name of interviewee: Position: Institution / organization:

III. Interviewee's experience

- 1. Bearing in mind your position, what are your responsibilities in the field of Roma street children?
- 2. How long have you been involved in the field of Roma street children?
- 3. Are you involved in providing services / support to or work directly with Roma street children? If yes, for how long? How many individual cases have you been engaged in?
- 4. Is there anyone else in your institution / organization involved in this field of working with Roma street children? If yes, who (in terms of positions) and in what manner?
- 5. Do you cooperate with other relevant stakeholders in the field of Roma street children? If yes, with whom (in terms of institutions / organizations) and in what manner?

IV. Scope, reasons and consequences

- 1. According to the data available to your institution / organization, what is the number of Roma street children? What is your estimate based on / please refer to the source?
- 2. What are the main reasons that some Roma children are street children? Please distinguish between individual, cultural (Roma community) and systematic reasons (i.e. inadequate state actions)?
- 3. What are the main consequences from the fact that some Roma children are street children? Please distinguish between individual level, Roma community and consequences for the society at large.

V. Institutional / organizational practices and experience

- 1. How is your institution / organization involved with Roma street children? For how long?
- 2. What is your institution's / organization's involvement in the field of Roma street children? For how long has your institution's / organization's been involved? How many individual cases has your institution / organization been engaged in? How many of them were positively resolved?
- 3. What practices of your institution / organizations are particularly effective? What are the main reasons for practices' effectiveness?
- 4. What practices of your institution / organizations are less effective? What are the main reasons for practices' effectiveness to a lesser degree?
- 5. Does your institution / organization cooperate with other relevant stakeholders in the field of Roma street children? If yes, with whom (in terms of institutions / organizations) and in what manner?

VI. Legislation

- 1. What are the most important segments of current legislation that impact the Roma street children? Please elaborate.
- 2. In particular, are there segments of current legislation that create unfavourable conditions for Roma street children? Please elaborate.
- 3. What are the needed legislative changes that would create favourable conditions for Roma street children? Please elaborate.

VII. Comments and remarks

- 1. What other solutions and improvements might lead to favourable conditions for Roma street children?
- 2. Do you have any other comments or ideas?

FOCUS GROUP PROTOCOL

Introduction

Present yourself. Explain the purpose of the meeting in simple words. Explain the intended use of the collected data and information in simple words.

Ask for permission to take notes.

Explain that the expected duration of the meeting is 45-60 minutes.

Follow the protocol set out below, but adjusts to participants' experience. Make sure that all participants understand the questions and are take part in the discussion. Provide sufficient space for participants to make additional comments and state their opinion.

Basic information's:

- 1. Where do you live? Do you have permanent residence? (house or improvised house) If not, where do you usually go?
- 2. How many members does your family have?
- 3. During the year do you change your residence in other municipality or city?
- 4. Are you receiving social assistance or any help from the state? If no, why?
- 5. Whether your children are enrolled in school, kindergarten or day-care centre and how often they attend? If no, why?
- 6. How do you earn for everyday life? Do the children help you in those activities? In which?
- 7. Do you have medical insurance? Whether your children are vaccinated and where?

Experience with institutions:

- 1. How do you approach the institutions?
- 2. From which institutions did you ask help and for what?
- 3. What do you expect from the institutions to help you?
- 4. Were the explanations you received helpful? Did the employees help you?

Experience with organizations providing support:

- 1. How did you find out about the organization providing you help? What kind of help do the organizations provide you?
- 2. How did you approach the organization?
- 3. Were the explanations you received helpful? Did the employees help you?
- 4. Would you recommend your friends and relatives to approach the organization?

Any other comments and information you might want to share?

ANNEX 2: Data received from LIRIKUS - ISA, Sept. 15.2016

Year	Children on the street	Roma Children on the street	Street Children	Roma Street Children
2013	Bitola 18 Veles 8 Debar 2 Kavadarci 4 Kichevo 10 Kocani 3 Kumanovo 4 Ohrid 1 Prilep 2 Skopje 106 Strumica 2	Bitola .18 Veles .8 Debar .2 Kavadarci .4 Kicevo .10 Kocani .3 Kumanovo .4 Prilep .2 Skopje .103	/	/
2013 - total	160	154	/	/
2014	Bitola 9 Veles 9 Debar 2 Kavadarci 4 Kichevo 10 Kochani 5 Kumanovo 8 Negotino 2 Ohrid 1 Prilep 7 Skopje 97 Strumica 2 Tetovo 1 Shtip 1	Bitola 9 Veles. 8 Debar. 2 Kavadarci. 4 Kichevo. 10 Kochani. 5 Kumanovo 7 Negotino 2 Prilep 7 Skopje 95 Strumica 2 Tetovo 1 Shtip 1	/	/
2014 - total	158	151	/	/

Year	Children on the street	Roma Children on the street	Street Children	Roma Street Children
2015	Bitola	Bitola	/	/
2015 - total	189	183	/	/
2016 (till 01.07.2016)	Bitola 7 Veles 3 Gostivar 6 Kavadarci 4 Kichevo 12 Kochani 5 Kumanovo 10 Ohrid 1 Prilep 8 Skopje 122 Tetovo 5 Shtip 1	Bitola 7 Veles 3 Gostivar 6 Kavadarci 4 Kichevo 12 Kochani 5 Kumanovo 8 Prilep 8 Skopje 120 Tetovo 5 Shtip 1	/	/
2016 (till 01.07.201 6) - total	184	179	1	/

ANNEX 3: Stakeholders interviewed

INTERVIEWEES

Name (Last, First)	Institution/Organization	Date
Mr. Dushan Tomshik	UNDP	Sept.02, 2016
Ms. Nevena Petrovska	Institute for Social Affairs	Sept.05, 2016
Ms. Snezana Pajovik Mishevska		
Mr. Dragi Celevski	Office of the Ombudsman	Sept.05, 2016
Ms. Iva Mihajlovska		
Mr. Redzep Ali Cupi	Ministry of Education and Science	Sept.05, 2016
Ms. Nevena Petrovska	State Council for Prevention of Juvenile	Sept.05, 2016
	Delinquency	
Ms. Elena Neshovska	NGO SUMNAL	Sept.06, 2016
Ms. Lidija Sterjov	Ministry of Labour and Social Policy	Sept.12, 2016
Ms. Elka Todorovska		
Ms. Slobodanka Zdravkovska		
Ms. Voskre Naumova Ilieva	NGO HOPS	Sept.12, 2016
Ms. Silvana Naumova		
Mr. Dragi Zmijanac	First Child Embassy in the World	Sept.12, 2016
Ms.Katerina Konevska	"Megasi"	
Mr. Senad Memedi	Ministry of Health	Sept.13, 2016
Mr. Kristijan Nushkov	NGO SOS Children's Village	Sept.13, 2016
Ms. Suzan Amet	NGO MIR	Sept.14, 2016
Ms.Olimpija Grozdanovska	UNICEF	Sept.16, 2016
Mr. Vladimir Lazovski		
Ms. Ljatifa Shikovska	NGO Umbrella	Sept.16, 2016
Ms. Irena Velkoska	DC Shuto Orizari, NGO "Defence for	Sept.20, 2016
Ms. Aleksanda Lozanoska	Children's Rights"	
Mr. Tomislav Cvetkovski	CSW Skopje	Sept.21, 2016
Mr. Elmaz Maliki	Ministry of Local Self-government	Sept.22, 2016
Ms. Aneta Trajkovska	DC Kisela Voda	Sept.22, 2016
Ms. Nikolina Nikolovska	NGO HERA	Sept.23, 2016

FOCUS GROUP PARTICIPANTS:

Group 1: Parents of Roma street children and children above 12 years who are visiting a daycare centre

4 participants from the region under Kale (Skopje), organized on September 14, 2016

Group 2: Parents of Roma street children and children above 12 years who are not visiting a day-care centre

7 participants from Shuto Orizari (Skopje), organized on September 20, 2016