



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Fifty-fourth session

11 February – 1 March 2013

List of issues and questions with regard to the consideration of periodic reports

The former Yugoslav Republic of Macedonia

The pre-session working group considered the combined fourth and fifth periodic report of the former Yugoslav Republic of Macedonia (CEDAW/C/MKD/4-5).

General

1. The report mentions in the introduction that civil society had the opportunity to contribute to the process of the preparation of the report. Please provide further information on the nature and extent of the involvement of non-governmental organizations, in particular women's organizations, in this process. Please also indicate whether the report was adopted by the Government and submitted to parliament.

Constitutional, legislative and institutional framework

2. The report indicates that the Law on Prevention and Protection against Discrimination was adopted in 2010 (para. 7).¹ Please provide further details on the provisions of this law, particularly with respect to the definition of discrimination and possible derogations from the principle of non-discrimination and indicate how this law is applied in practice. Please also provide information on the mandate of the Commission for the Protection against Discrimination and on its established procedure for determining discrimination claims as well as on complaints lodged related to allegations of discrimination on the grounds of sex and gender and the Commission's decisions in this respect.

3. Please provide information on cases of discrimination based on sex initiated by women under the procedure of the Legal Representative established within the Unit for Improvement of Gender Equality in the Sector for Equal Opportunities of the Ministry of Labour and Social Policy. Please also provide information on any court cases in which the Convention has been invoked by individuals or directly applied or referred to in court

¹ Unless otherwise indicated, paragraph numbers refer to the combined fourth and fifth periodic report of the State party (CEDAW/C/MKD/4-5).

proceedings and on cases in which women are claiming their rights in courts by invoking provisions on non-discrimination against women and gender equality in domestic legislation.

4. According to information received, a new Law on Equal Opportunities for Women and Men was adopted in January 2012. Please provide detailed information about the provisions of this new law and its implementation to date, including with regard to the establishment of new coordinating mechanisms.

Temporary special measures

5. Please provide detailed information on temporary special measures which have been introduced in order to establish equal opportunities for women and men in the framework of the Law on Equal Opportunities for Women and Men and on their impact in the areas or groups of women concerned (para. 20). Please explain the interconnectedness between provisions on temporary special measures in the new Law on Equal Opportunities for Women and Men and the Law on Prevention and Protection against Discrimination.

Stereotypes and harmful practices

6. The report acknowledges the persistence of gender stereotypes regarding the roles of women and men in media broadcasts, in particular on television (para. 71). Please provide detailed information on how the Broadcasting Council monitors the media and on its procedure for receiving and deal with complaints brought before it and the sanctions imposed on broadcasters who do not observe the gender equality standards set out in the Law on Broadcasting Activity (paras. 70 and 72). Please also provide further information on action taken to change accepted stereotypical roles of women and men in the family and society (CEDAW/C/MKD/CO/3, para. 20), including on the development and application of the Methodology for Evaluation of Text Books, which according to the report also addresses gender equality issues, avoiding stereotypes and prejudices (para. 163).

Violence against women

7. Please provide further information on the comprehensive legislative and other measures to prevent and eliminate domestic violence and protect victims adopted by the State party, in particular provisional protection measures for victims of domestic violence, which according to the report are issued by the Ministry of Justice (paras. 46 and 63). Please also provide information on cases where these measures have been applied. Please explain for how long and under what conditions a victim of domestic violence may stay at one of the various shelters for victims or social work centres administered by the Ministry of Labour and Social Policy (paras. 58-59). Please also explain what services a victim receives and if these centres are open to all victims, including children.

8. Please provide detailed information on the implementation of the common unified protocol on domestic violence, which aims at providing a coordinated institutional framework for the prevention of domestic violence. Please also indicate the interconnectedness between the protocol and the National Strategy for the Protection against Domestic Violence (2008-2011) and whether this strategy has been renewed (paras. 46 and 56).

9. Please provide updated information on the occurrence of gender-based violence against women at the national level, including sexual and domestic violence, the relationship between the victim and the perpetrator, and the number of prosecutions and convictions of perpetrators and sanctions imposed on them, and on remedies, including compensation provided for the victims. Please indicate measures taken to facilitate the reporting of violence against women, including domestic violence. Please indicate whether

a system for the regular collection and analysis of data and information on all forms of violence against women, including sexual harassment and domestic violence, has been established at the national level (para. 57).

Trafficking and exploitation of prostitution

10. Please provide information on the findings of the legal analysis of laws related to trafficking in persons referred to in paragraph 102 of the report and on amendments to the State party legislation adopted in 2010. Please also provide detailed information on the contents of the newly adopted strategy and action plan (2009-2012) and indicate whether a mechanism to monitor and evaluate its effectiveness has been established (paras. 94-95).

11. Please clarify the mandate and terms of reference of the National Referral Mechanism of Victims of Human Trafficking, NRM (paras. 102, 105, 108 and 115-116). What is the role of the NRM with respect to the Centre for Persons Victims of Human Trafficking (paras. 86 and 92)? Please also explain how it is determined that women have been victims of trafficking (para. 108) and provide information on measures taken to provide assistance and support to such women.

12. Please provide information on measures taken to suppress the exploitation of prostitution in the State party (CEDAW/C/MKD/CO/3, para. 22). Please also indicate measures taken to prevent the sexual exploitation of women and girls, to raise awareness on the health and safety risks of prostitution and also to ensure the social reintegration of prostitutes.

Participation in public and political life

13. Please provide information on measures taken to eliminate the participation of women in senior decision-making positions within public administration at all levels, and their participation in advisory and other bodies, established by the Government. Please also provide information on the findings of the analysis of reasons for the low participation of women in public and political life at local level which according to information received was conducted by the Ministry of Labour and Social Policy in 2011, and also on actions taken to address the reasons identified.

Education

14. According to the report a number of awareness-raising campaigns have been conducted with the aim of reducing the rate at which girls drop out of school (para. 173). Please provide data, disaggregated by sex, age, ethnic origin and regions, on the drop-out rates of girls at all levels of education, in particular at the primary level. Please also provide information on the effects so far of nine-year compulsory primary and secondary education for girls and boys, particularly Roma girls and women and those belonging to other ethnic minorities and those in rural areas.

15. Please provide data on professional and academic choices of women and men at all relevant educational levels, and describe efforts made by the State party to promote the diversification of educational and vocational choices for women and men.

Employment

16. According to information received, traditional attitudes regarding the roles of women and men in the family and the society represent one of the main obstacles to women's participation in the labour market. Please provide information on measures taken to address these impediments and to encourage women's participation in the formal labour market, including measures to reach out to less employable categories of women, such as rural women and women with disabilities. Information received also indicates that the

Labour Relations Law does not provide for the application of the principle of equal pay for work of equal value. Please explain how the State party has been addressing this issue and also provide information on initiatives taken to tackle occupational segregation in the workplace and on actions taken and envisaged to close the pay gap between women and men.

Health

17. Please indicate whether the National Strategy on Sexual and Reproductive Health 2010-2020 has been adopted (para. 223). Please also provide detailed information on measures taken to decrease the persistent use of abortion as a contraceptive method in the State party and to ensure that women and men, including teenagers, have access to information on sexual and reproductive health and rights, including through the counselling centres (para. 239). Have the measures and activities for family planning, contraception and safe abortion anticipated in the Action Plan been prepared (para. 227)? If so, please provide detailed information on these measures and their implementation and explain whether modern contraception is readily available and financially affordable. Please also provide more information on the contents, monitoring and implementation of the Quality Standards and Care for Abortions (para. 225).

Rural women

18. Information obtained indicates that a baseline study on perspectives of women in rural areas was conducted (Centre for Research and Policy Making 2012). In view of the findings of this study and as requested by the Committee in its previous concluding observations (CEDAW/C/MKD/CO/3, para. 28), please provide information about the de facto situation of rural women in the areas covered by the Convention, and on measures taken to eliminate all forms of discrimination against this group of women and results achieved to date.

Disadvantaged groups of women

19. The report indicates legislative amendments to improve social protection benefits of single pregnant women (para. 257). Please provide further information about the situation of households headed by women, in particular single mothers and widows, as well as on the social protection benefits to which they are entitled and measures in place to eliminate discrimination against them.

20. Please provide further and updated information on the scope and priorities of the 2008 National Action Plan for the Promotion of the Status of Roma Women, funds allocated for its implementation and progress achieved with regard to its implementation.

Marriage and family relations

21. According to information received, despite the fact that the minimum age of marriage is set at 18 years, early and forced marriages, including traditional marriages, take place in certain communities of the State party and are not registered with the relevant authorities (CRC/C/MKD/CO/2, para. 61). Please provide information about the occurrence of such marriages and on measures envisaged or adopted with a view to eliminating such harmful practices.