

Ladies and gentlemen,

First, I would like to thank you all for being here. This report has come as a result of joint work of a coalition consisted of three organisations based in the Republic of Macedonia. At this occasion, I represent the National Youth Council of Macedonia, the biggest youth representative body in the country. We produced this report together with the Macedonian Young Lawyers Association, and the Institute for Human Rights, two experienced and widely recognized organisations in the field of human rights.

The idea for the report came from the premise that young people are right holders and face age specific challenges when it comes to exercising their rights. The previous UPR session for the Republic of Macedonia, addressed many issues that affect young people among others, but many youth specific issues were not addressed or were framed into wider recommendations.

Since the submission of the report, one national consultation took place, organized by the Ministry of Foreign Affairs. To our knowledge, the session was designed for organizations that submitted their reports in the previous UPR cycles but not organizations that have submitted for a first time which we think is something that should be reconsidered for the next cycle.

The statement will raise three interconnected issues regarding the environment in which the young people exercise their labor rights: First, access to labor market for young people (including young people from the minorities), second, discrimination young women face in the labor market due to possibility of pregnancy, and third, challenges the young people face in exercising volunteering and internships.

Regarding labor market access, youth unemployment and underemployment represents a major challenge for the Republic of Macedonia. While in the previous UPR cycle no exact recommendations were made in regards to youth unemployment or underemployment, several countries (Australia, Canada, Cote d'Ivoire, Congo, Poland, Vietnam) pointed more widely towards the need for social inclusion and equal opportunities to the minorities and vulnerable groups in the country, especially the Roma population. Even though employment is one of the main methods of social inclusion, still, one in every two young persons in the national labor force is unemployed and this disproportionately affects the young people from ethnic minorities. According to the Youth Progress Index, the Republic of Macedonia ranks 96th globally when it comes to young people that are not in the system of education, employment or training. Low quality employment affects approximately half of the young workers. Five in ten young workers receive a wage that is below the average of all workers (paid workers and own-account workers), five in ten are in informal or irregular employment, three in ten are overeducated or undereducated for the job that they hold, and excessive number of unpaid hours. 16.5 percent of youth works part-time, and among them, nearly half qualify as "involuntary part time workers". Knowing this, it can be clearly seen that young people face specific issues when it comes to employment. The Government designed several programs aimed to address this issue. When it comes to employment, Youth Guarantee program was established designed to offer employment, training or education opportunity within four months following the young person' registration within the Agency for Employment. In the later stages, the mechanism should be available to larger audience and should prevent discrimination based on social and economic background. Currently, the mechanism is not accessible for young people that do not have personal documents which is a nationally rare occurrence but frequent case in the Roma communities. While the problem with illiteracy and documentation is beyond the mechanism itself, its manifestation creates challenges and

should be addressed accordingly when the full implementation starts. While recommendations regarding lack of documentation as an obstacle for exercise of rights were made by Mexico, Namibia, and Slovenia in the previous session, we couldn't locate substantial efforts in this direction that go beyond sporadic initiatives.

In this light, we propose the following recommendations:

First, The Agency for Employment and the Ministry of Labour and Social Affairs should adjust the procedures for undocumented young people and facilitate their access to labour rights and social support mechanisms.

Second, support and implement Human Rights Based Approach when developing new programmes and policy that affects young people.

The second issue, we would like to raise, is related to discrimination young women face in the labor market due to possibility of pregnancy. In the previous UPR session, several countries (Armenia, Brazil, Canada, France, Greece, Lithuania, Spain, Sweden) gave recommendations regarding discrimination against women. In this direction, the Government conducted concrete legal and policy steps, most significantly the drafting of the new Law on prevention of and protection against discrimination. The law is a significant improvement in this regard but further synchronization with The Law of Labor Regulation (LLR) is required. The LLR in its provisions establishes special protection of persons younger than 18 and women. The Law stipulates that the approved leave of absence due to illness or injuries, pregnancy, childbirth and parenthood, care for a family member and unpaid parenthood leave, are to be considered as unfounded reasons for terminating the employment contract. In addition, Article 101 refers to the ban on dismissal due to pregnancy, childbirth and parenthood, according to which the termination of the contract shall be null and void, assuming that the employer was familiar with the circumstances of the pregnancy, childbirth or parenthood, or was properly notified within 15 days from the dismissal. However, paragraph 3 of Article 101 lays out an exception from the obligation aforementioned, under which the circumstances of the pregnancy, childbirth and parenthood do not prevent the termination of the employment contract concluded for a defined period of time as soon as this contract expires. Having this in mind, there are a lot of cases where women are employed with an employment contract concluded for a defined period of time, which are not renewed right after the acknowledgement of the employer about the pregnancy. This practice is contrary and discriminatory to the purpose of the protection of young women due to pregnancy, childbirth and parenthood. Therefore, we provide two recommendations:

First, even though the LLR establishes basis for protection against discrimination, it needs further improvement concerning protection against discrimination of women on grounds of pregnancy, childbirth and parenthood in light of the termination of the employment contract concluded for a definite period of time.

Second, adoption of the new Law on prevention of and protection against discrimination and devotion of the state institutions on its proper implementation in practice

The final issue we would like to address are the legal and practical gaps when it comes to internships and volunteering. These are significant tools in the hands of the young people in the process of their transformation to the labor market. In the previous UPR session on the Republic of Macedonia, no

recommendations were made in this regard. However, we find significant grey areas left in which employers can avoid properly paying their workers often disguised behind internship or volunteering. While the Law on Volunteering includes fines for these instances, as described in section 7, in articles 22, 23, and 24, still it is not difficult for businesses to misuse volunteers. This leads to a clear case of labor abuse, especially for the youth who are not well acquainted with this system of work and this law. With this current law in place, a large grey area left does not adequately protect volunteers and unpaid interns that are by large young people. By stating that unpaid internships do not need to follow the same stipulations as volunteer opportunities, and then refusing to adopt laws protecting unpaid interns leaves this group vulnerable. The volunteering, internship and traineeship in the Republic of Macedonia are regulated in Law on Volunteering for the Republic of Macedonia, the Law on Labor Relations and the Strategy for promotion and development of Volunteering with an Action Plan for implementation. The Strategy is not valid since it covers the time span for 2010 to 2015 and new one should be written and its action plan for implementation should reflect and tackle the current conditions and needs.

Therefore, we recommend that for the country to *Update the Strategy for promotion and development of Volunteering with an Action Plan for implementation including all the stakeholders.*

Close the legal gaps with regulating the internships in relation to other forms of employment.

I do hope that you will take these concerns and recommendations into consideration when drafting your recommendations to the Republic of Macedonia.

Thank you!