

PROMISING CHANGE

ROMANI CHILDREN IN STATE CARE IN NORTH MACEDONIA



CHALLENGING DISCRIMINATION PROMOTING EQUALITY



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INTRODUCTION

For over a decade, the ERRC has actively campaigned against the wrongful removal of Romani children from their biological families and their placement in state care institutions. The ERRC has produced reports and legal action briefs in 10 countries, provided legal support to families, and taken action against authorities on this issue. This report on North Macedonia, by way of contrast to the other 10, offers an example of a deinstitutionalisation (DI) process in action whereby the government has shut down all large-scale child care institutions and pledged that “residential care will be supplanted with community support services and community-based living services.”¹

The first ERRC report *Life Sentence*, published in 2011, revealed that Romani children were overrepresented in institutional care in Bulgaria, the Czech Republic, Hungary, Italy, Romania, and Slovakia.² Preventative measures were found to be inadequate, there were insufficient skilled social workers, and no community level support services in isolated Romani neighbourhoods due to insufficient funding.

The research found that Romani children experienced physical abuse, ill-treatment, and ethnic discrimination in and out of the homes. The vast majority of Romani children in institutional care had little prospect of being returned to their biological families, and many spent their whole childhood in an institutional setting. Upon reaching the age of adulthood, they are discharged from the institution with minimal support for individual living. Most of these young adults, who have lost connections with their families, ultimately find themselves homeless and living on the streets.

Our research has formed the basis for legal challenges to racist practices. The ERRC maintains that institutionalisation of

young children is a form of violence, and the disproportionate overrepresentation of Romani children in state care amounts to a form of racist violence. Supporters of institutional care for children commonly argue that since conditions have significantly improved, these institutions should be regarded as safe and suitable places for children. As the ERRC has previously asserted, deprivation and suffering are caused predominantly by emotional, mental, or physical neglect, the non-existence of a primary caregiving person, and the lack of stability. This is especially the case with regard to children under three years of age, because “their long-term stay in institutional care is always accompanied by emotional neglect, which is a form of violence – and therefore should not be tolerated.”³

On 23 November 2020, in response to a joint complaint by the ERRC and Validity⁴, the European Committee of Social Rights (ECSR) found the Czech Republic responsible for large-scale and discriminatory institutionalisation of children with disabilities and Romani children in early childhood care institutions⁵. Roma represent a mere 2.2% of the total population in the Czech Republic, but in different regions account for between 30% and 60% of children in state care. In the submission, UN Special Rapporteur Dainius Pūras noted that children with disabilities and those from ethnic minorities suffered more than others from the effects of institutionalisation, which he described as “devastating on nearly every domain of functioning”.⁶

On 5 October 2021, the Metropolitan Court in Budapest ruled in favour of the ERRC in a case challenging the overrepresentation and discrimination of Romani children in state care in Nógrád County, Hungary. The ERRC’s cause of action research in 2018 had shown that while only 20% of the county’s population was of Romani origin, over

Long-term stay in institutional care is always accompanied by emotional neglect, which is a form of violence

1 The Republic of Macedonia Ministry of Labour and Social Policy, *National Deinstitutionalisation Strategy of the Republic of Macedonia for 2018–2027* ‘Timjanik’ & Action plan, Skopje September 2018. Available [here](#).

2 European Roma Rights Centre (ERRC), *Life Sentence Romani Children in Institutional Care*. 20 June 2011. Available [here](#).

3 European Committee of Social Rights, *Complaint: European Roma Rights Centre & Mental Disability Advocacy Centre v. the Czech Republic: For failure to ensure social and economic protection of young children who are segregated in child-care institutions*. 26 October 2016. Available [here](#).

4 Validity is an international non-governmental human rights organisation that uses legal strategies to promote, protect, and defend the human rights of people with mental disabilities worldwide.

5 ECSR Decision on the Merits, *European Roma Rights Centre (ERRC) and Mental Disability Advocacy Centre (MDAC) v. Czech Republic Complaint No. 157/2017*, 23 November 2020. Available [here](#).

6 European Committee of Social Rights, *Observations of the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*, 17 July 2017. Available [here](#).

80% of children in care were Roma⁷. The Court found that the Ministry of Human Capacities had violated the right to equal treatment for children who had been taken away from their families due to their financial situation, and that families were discriminated against on the grounds of poverty and their Romani ethnicity.

The 2021 ERRC report *Blighted Lives* revealed this to be a widespread phenomenon and found that despite legal prohibitions the most frequent reasons for removing Romani children from their biological families were poor housing conditions and abject poverty, with all parties to such removals denying that racism plays any role in their deliberations.⁸

When staff and directors of care homes in different countries were asked by ERRC researchers why so many Romani children get taken into care, they repudiated any notion that racism or discrimination could ever be a factor. In follow-up discussions however, some were forthright in their views of ‘Gypsy lifestyles and culture’, and shared what they considered to be the unremarkable anti-Roma prejudices of the wider society.

Most interviewees denied that ethnicity plays any role in removals, and then blithely went on to cite parental neglect, truancy, theft of firewood and potatoes, healthcare concerns, family tragedies, and ‘other pathological phenomena in the locality’ including drug and alcohol abuse⁹. In most countries, the structural racism that reproduces such extreme poverty and renders so many Romani families ‘at risk’ goes largely unquestioned, and the dysfunctional systems which dump hugely disproportionate numbers of Romani children into state care institutions go effectively unchallenged.

Too often, Romani children are caught at the cruel intersection of poverty and racism, where institutional discrimination and dysfunctional child-protection systems result in disproportionate numbers of Romani children being placed in state-run care homes, where there is precious little by way of care. Worse still, some of these vulnerable youngsters then become victims of abuse and exploitation.

Indeed, it was action taken by the ERRC over disturbing allegations of abuse and neglect of children in state care in North Macedonia (see below) that proved to be the catalyst for far-reaching reforms of the system, and a strategic commitment by the government to step up the pace of deinstitutionalisation, shut down all large facilities, and replace them with community-based care homes and support for vulnerable families.

The past decade has witnessed a dramatic reduction in the number of children in state institutions across Europe. The European Commission made billions of Euros available for the 2014-2020 period to support the transition from institutional care to community-based living.¹⁰ In Bulgaria, for example, there has been an 80% drop in the number of children in institutional care; while in Romania the total number of children housed in institutions in 2019 was 6,632 compared to an estimated 100,000 back in 2000.

However, beyond the closure of institutions, deinstitutionalisation should be understood in terms defined by Eurochild as a: *“Policy-driven process of reforming a country’s alternative care system, which primarily aims at: Decreasing reliance on institutional and residential care with a complementary increase in family and community-based care and services; Preventing separation of children from their parents by providing adequate support to children, families and communities; ensuring social inclusion for care leavers and a smooth transition towards independent living.”*¹¹

This full process, as UNICEF put it, involves establishing a diversity of other child-care services regulated by rights-based and outcomes-oriented standards; and it has been found wanting in a number of the countries surveyed in the ERRC’s research reports. In Bulgaria, Romania, and the Czech Republic, austerity cutbacks have left the child care systems underfunded and understaffed, thus depleting their capacities to carry out reforms. Experts have highlighted the lack of coordination, consultation, and monitoring mechanisms as well as severe under-resourcing and acute staff shortages and a high turnover of social workers who lack training and supervision. Progress was further jeopardized in Bulgaria and the Czech Republic by political resistance to reforms.¹²

This research report on Romani children in state care in North Macedonia examines the progress made on deinstitutionalisation, what impact it has had on vulnerable Romani children and their families, and what kind and quality of care and support is actually available in the community. It is part of a wider international action research and advocacy effort by the ERRC to provide data and information to allow for legal interventions to prevent unnecessary removals; to stimulate public debate at both national and European levels to push for substantive reforms in order to root out both deliberate and unwitting discriminatory practices; to advocate for increased social support for families in difficulty; and to ensure that children are not removed from their families primarily because of poverty and prejudice.

7 ERRC, *Cause of Action Report: Romani Children in State Care in Nógrád County (Hungary)*, November 2017. Available [here](#).

8 ERRC, *Blighted Lives: Romani Children in State Care*, 2 February 2021. Available [here](#).

9 *Ibid.*

10 Neil Crowther et al. *Opening up communities, closing down institutions: Harnessing the European Structural and Investment Funds*. Structural Funds Watch. November 2017, p. 17. Available [here](#).

11 Eurochild, *Deinstitutionalisation and quality alternative care for children in Europe: Lessons learned and the way forward Working paper*. September 2014. Available [here](#).

12 ERRC, *Blighted Lives*.

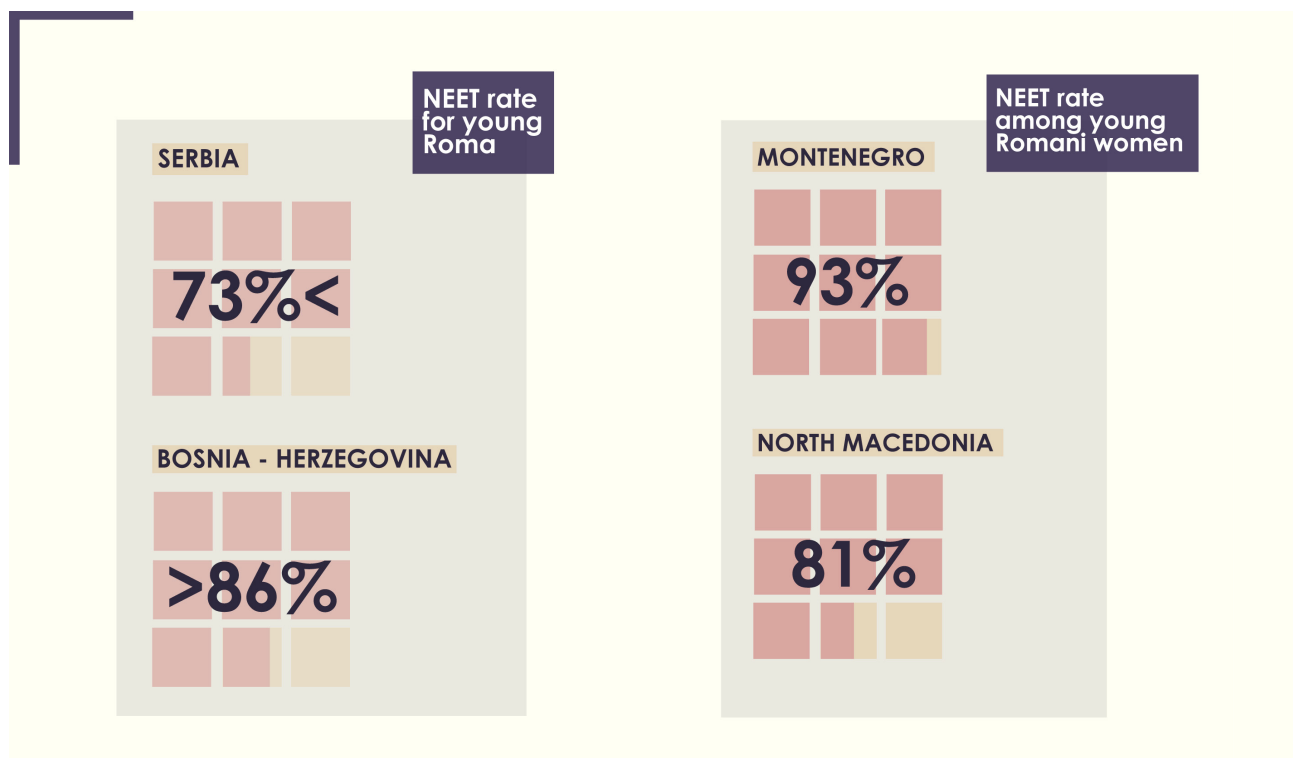


BRIEF PROFILE OF ROMA IN NORTH MACEDONIA

The official results of the latest census, published on 30 March 2022, showed that while the country's population has shrunk by 9.2% over two decades, and now stands at 1,836,713, the ethnic composition of the population has not shifted much since 2002. The results show that, of the resident population, 58.44% are ethnic Macedonians and 24.3% are ethnic Albanians. Among the rest, Roma account for 2.53% (46,433). Located in the urban areas, most Romani citizens live in Skopje, Prilep, Kumanovo, Bitola, Tetovo, Gostivar, Stip, and Kocani and, according to the government, Roma are present in more than 50 municipalities.¹³ Unofficial estimates vary widely, and the average estimate used by the Council of Europe puts the Romani population of North Macedonia at 197,000 or 9.56% of the total.¹⁴

Despite more than a decade of Roma inclusion strategies, pre-accession funding from the EU, and regularly updated

national action plans, there has been little tangible improvement in the living conditions of an estimated one-million Roma across the Western Balkans. The 2017 Regional Roma Survey, conducted by the United Nations Development Programme and the World Bank, revealed that, across a number of indicators, the situation of marginalised Roma has actually worsened since 2011, with a widening gap between Roma and non-Roma in health, employment, and housing. The survey found that marginalised Romani communities were still the most excluded in the Western Balkans. One stark indicator across the Western Balkans was the NEET (Not in Employment, Education, or Training) rates for young Roma, aged between 18 and 24, which ranged from 73% in Serbia to 86% in Bosnia and Herzegovina. Among young Romani women, it varied between 81% in North Macedonia and 93% in Montenegro.¹⁵



In its most recent 2016 report on North Macedonia, ECRI noted that, despite efforts made by the authorities, various shortcomings and gaps meant that Roma remain socially marginalised, with the poverty rate among Roma approximately 2.5 times higher than the national level. Among ECRI's recommendations to the authorities was to ensure equal access to health care for members of the Romani community, in particular

gynaecological and pre-natal services; to provide sufficient and adequate social housing to vulnerable members of the Romani community; to fully and finally settle the problem of access to personal documents; and to ensure that the country's border police force receives adequate training to be able to carry out its duties under the visa-liberalisation regime with the European Union without applying racial profiling against Roma.¹⁶

¹³ Sinisa Jakov Marusic, "North Macedonia Census Reveals Big Drop in Population", *Balkan Investigative Reporting Network*, 30 March 2022. Available [here](#).

¹⁴ Council of Europe, Publications: *Estimates on Roma populations in European countries*, updated 2 July 2021. Available [here](#).

¹⁵ UNDP and the World Bank, *The Regional Roma Survey*. Available [here](#).

¹⁶ European Commission against Racism and Intolerance, ECRI Report on "The Former Yugoslav Republic of Macedonia" (fifth monitoring cycle), adopted on 18 March 2016. Available [here](#).

Roma inclusion is one component of the wider strategic priority of the North Macedonian government to fully implement the Ohrid Framework Agreement, build a civil state, and foster ethnic cohesion: *“The goal is to create a multicultural society with greater intercultural communication and build a spirit of respect and cultural pluralism. Measures are being taken to reduce ethnic, social and economic differences between the communities under projects with integration goals.”*¹⁷ At the EU-Western Balkans Summit in Sofia on 17 May 2018, the Prime Minister of North Macedonia initiated a process of regional commitment to Roma integration as part of the EU enlargement process, and the Western Balkans Prime Ministers signed the Poznan declaration, setting *“ambitious yet realistic targets on Roma integration, to be achieved before joining the EU.”*¹⁸

Children without parents or parental care shall be afforded particular protection

However, primary and lower secondary enrolment rates have improved and significant progress made in lower secondary completion rates. In 2017, 31% of marginalised Roma aged 22-25 had completed upper secondary education compared to 16% in 2011. School segregation in North Macedonia was the highest in the Western Balkans with 40% of marginalised Romani students aged 7-15 attending segregated schools in 2017, compared to 25% in 2011. Previous studies indicated a high correlation between ethnic segregation and low quality of education, mostly due to the segregated schools’ poor infrastructure and learning resources, and teachers’ lower qualifications and high turnover.¹⁹

Non-discrimination and equal treatment is enshrined as a fundamental principle in the Constitution of the Republic of North Macedonia, according to which, *“Citizens of the Republic of [North] Macedonia are equal in their freedoms and rights, regardless of sex, race, colour of skin, national and social origin, political and religious beliefs, property, and social status.”*²⁰ In January 2021, a new equality body – the Commission for the Prevention and Protection against Discrimination – was elected with wide-ranging powers, including the right to initiate proceedings for the protection against discrimination upon its own initiative.

However, in its 2021 report on North Macedonia, the European Commission noted that there remain *“numerous logistical and financial challenges that need to be addressed in order to become fully operational.”* The Law on the Prevention and Protection against Discrimination is in place, and it includes definitions of direct and indirect discrimination, harassment,

Some idea of the ambitious nature of the integration targets was made clear by the UNDP *Roma at a Glance Factsheet on Macedonia*, which revealed that only 26% of marginalised Roma aged 18-24 are in employment, education, or training (NEET), compared to 67% of non-Roma. 87% of marginalised Roma face severe material deprivation, and rates of early marriage remain persistently high: 33% of marginalised Romani women aged 20-49 years were married before they were 18-years-old. The survey found that enrolment rates in pre-primary education remained low compared to other countries in the Western Balkans: in 2017 the rate for ages 3-6 was just 14%.

incitement, encouragement and instruction to discriminate, victimisation, and segregation. The Commission called for an increase in the budget of the Ombudsman’s Office to allow for recruitment of specialised staff, in order to better accomplish its role, and stressed that *“the functional independence of these bodies must be guaranteed at all times, including through the appropriate financial resources.”*²¹

Despite these positive developments, the European Commission found only limited progress on Roma inclusion: *“The Roma inclusion strategy (2014-2020) has expired, and the new one is not yet ready, although the preparatory work has started. There is no more Minister without portfolio – instead an advisor to the Prime Minister responsible for Roma, lowering the possibility for Roma issues to be discussed by the government. The implementation of the strategy and the corresponding action plans for education, employment, housing, gender and health was incomplete.”* Problems noted in earlier Commission reports persist, such as the lack of expenditure monitoring, combined with the poor absorption of existing pre-accession funds targeting Roma inclusion.²²

In its 2022 report, the Commission noted ‘some progress’ on the inclusion of Roma, including the adoption of a new strategy for Roma inclusion 2022-2030 covering antigypsyism, education, employment, social care and healthcare, housing, civic registration, and culture; and an action plan for the protection, promotion, and fulfilment of the human rights of Roma women and girls 2022-2024. In addition, the government completed a geographic mapping and living conditions overview of Romani settlements in 14

17 UN General Assembly Human Rights Council, *Working Group on the Universal Periodic Review Thirty-second session*, 21 January–1 February 2019. Available [here](#).

18 Ministry of Foreign Affairs Republic of Poland, *Western Balkans Partners Declaration on Roma and EU Enlargement*, 17 May 2018. Available [here](#).

19 United Nations Development Programme, *Roma at a Glance Factsheet on Macedonia*, April 2018. Available [here](#).

20 Constitution of the Republic of [North] Macedonia. Available [here](#).

21 European Commission, *Commission Staff Working Document, North Macedonia 2021 Report*, 19 October 2021. Available [here](#).

22 *Ibid.*

municipalities, which reveals that the majority of Romani settlements are still not covered by urban plans.²³

In its July 2023 screening report, the European Commission assessment of Roma inclusion was highly critical of the slow pace of progress. While the Roma inclusion strategy marked a positive step to align with the EU Roma framework, *“the document does not systematically address participation, empowerment, capacity building, fighting digital exclusion and improve mainstreaming of Roma inclusion in the relevant national policies. The pending action plans have not all been adopted yet which hampers implementation.”*²⁴

The report called for improved measures to tackle multiple and structural discrimination, hate crime and hate speech,

promoting participation, capacity-building for Roma civil society, mainstreaming Roma equality at regional and local level, as well as use of EU and national funds. It noted the absence of systematic measures to address the issue of street children, and that school segregation remains high, as do drop-out rates and early school leaving for Romani pupils. The report found that the situation of Romani women and girls remains particularly vulnerable, often due to unemployment. Concerning the issue of those at risk of statelessness, the report noted that civil registration remains very slow, and expressed the hope that the implementation of a new Law on Civil Registry, adopted by the Parliament in June 2023, will better address cases of statelessness and promote safeguards to prevent future reoccurrence.²⁵

²³ European Commission, *Commission Staff Working Document, North Macedonia 2022 Report*, 12 October 2022. Available [here](#).

²⁴ European Commission, *Screening report, North Macedonia*. 20 July 2023. Available [here](#).

²⁵ *Ibid.*

RIGHTS OF THE CHILD

According to the Government of North Macedonia, the state has ratified most international conventions protecting human rights. Article 118 of the Constitution stipulates that international conventions become part of the national legal order and cannot be changed by law. International agreements supersede domestic legislation. The European Commission's latest assessment is that the country's legal framework is largely in line with international human rights standards, but North Macedonia still has to address remaining gaps to fully align its legislation with that of the EU, including with the Charter of Fundamental Rights and the European Convention of Human Rights. In addition, the European Commission stressed the need to strengthen “*the overall administrative capacity for effectively guaranteeing human rights in practice*”.²⁶

Concerning the rights of the child, North Macedonia is a party to international agreements in this field including the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention). The Constitution provides for special protection of children (Articles 40 and 42), and the legal framework includes the Law on the Protection of Children and the Law on Justice for Children. Other laws include specific provisions for children. Strategic documents guiding the work in this field include the National Youth Strategy 2016-2025, the National Action Plan for Protection, Promotion and Fulfilment of the Human Rights of Roma Women and Girls 2022-2024, as well as the National Strategy for Prevention and Justice for Children for 2022-2027 and Action Plan for 2022-2023.²⁷

CHILDREN AT RISK: LEGISLATIVE AND POLICY CONTEXT IN NORTH MACEDONIA

Article 40 of the Constitution provides that “*children without parents or parental care shall be afforded particular protection (nocebna zaumuma)*”. The particular protection afforded to children without parents or parental care is restated in Article 4 of the Family Act.²⁸ Article 14 of the Act goes further to state that this particular protection and all issues surrounding issues of adoption are enforced by the Centres for Social Work (CSW), which are the first response institutions when a child should be taken from their parent(s) or placed in

state care (Articles 87, 88). The power to permanently revoke parental rights in case of abuse or neglect of the child lies with the civil courts. These proceedings can be initiated by a parent, the public prosecution, or a CSW. In any event, the CSW is required to provide an opinion to the court (Article 91). Under the Act, the CSW is the key institution deciding on and ensuring that the best interests of the child are taken into consideration in the processes of adoption and placement under guardianship.

The **Social Protection Act of 2019** prescribes the social services and benefits that can be obtained by citizens. It also provides for the possibility to obtain financial assistance for housing and a one-off payment for children leaving state care of up to 180,000 denars (approximately €3000).²⁹ The Act also introduced the possibility of placing children in state care into small group homes, which was also a key component of the Government's Deinstitutionalisation Strategy (2018-2027).³⁰ The Act also contains provisions related to independent living with support and stipulates who has the right to be placed in these forms of alternative care. This 2019 Act was credited as constituting a significant step forward in bringing social protection in line with international standards.

The **Child Protection Act** outlines the basic principles regarding protection of children, such as the child's best interest, the prohibition of any form of discrimination, and respecting the child's right to express their opinion on all matters concerning their life.³¹ The Act on non-contentious proceedings regulates the procedure for the revocation and restoration of parental rights. It is either the other parent or the CSW that can initiate those proceedings before a court of law. In case of the former, the CSW is requested to give their expert opinion on the matter.

The **Children's Justice Act** regulates the proceedings in case a child commits a criminal act. Importantly, the Act defines the term ‘child’ as any person under the age of 18. The CSW plays an important role in the proceedings, by, for example, being the departure point for any proceedings under that Act initiated against a child. After assembling a

²⁶ EU Screening 2023. Available [here](#).

²⁷ *Ibid.*

²⁸ Family Act (Закон за Семејството), Official Gazette of the Republic of Macedonia, Nos. 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.

²⁹ North Macedonia: Law on Social Protection of 2019. Available (in Macedonian) [here](#).

³⁰ The Republic of Macedonia Ministry of Labour and Social Policy, *National Deinstitutionalisation Strategy of the Republic of Macedonia for 2018–2027* ‘Timjanik’ & Action plan. September 2018. Available [here](#).

³¹ North Macedonia: Law on Protection of Children of 2019, 1 September 2019, Available [here](#).

team of experts, the CSW produces an individual plan of work taking into account all the circumstances surrounding the child and follows its execution. All the disciplinary or penal measures that can be ordered against a child are listed in the Act, including their placement in a correctional facility. The Act also contains the provisions regulating the role of child victims of crime in the proceedings.³²

From an institutional point of view, the **Ministry of Labour and Social Policy (MoLSP)** has a broad mandate which includes family and family relations, gender equality, protection of children, youth, and people with disabilities. The MoLSP has a key role in the design of the policy and legal framework related to alternative care. The Ministry has a specialised department dedicated to child protection and is also responsible for the inspectorate which oversees social work and child protection.³³

The **Institute for Social Work and Activities (ISWA)**, which is part of the *Ss Kiril i Metodij* University in Skopje, supports the MoLSP in the design and implementation of social policies and social protection. It has a mandate to set standards, monitor and supervise social services delivery, data collection, and research, license staff in the social protection institutions, and provide continuous education and training.

In operational terms, the key actor in delivery of social and family protection is the network of **30 Centres for Social Work (CSW)** covering the territory of 80 municipalities and the City of Skopje. The role of the CSW is to monitor and detect social problems, decide on and implement social protection measures, work on prevention, and develop and implement non- institutional forms of care.³⁴

EUROPEAN COMMISSION 2022 ASSESSMENTS ON RIGHTS OF THE CHILD

In its 2022 report on North Macedonia, the European Commission noted its concern that despite the substantial set of social and child protection measures to combat the socio- economic consequences of COVID-19, analysis has demonstrated that relative child poverty has increased, putting an additional 19,000 children at risk.

The Commission called for further efforts to make the social protection system more child-sensitive based on a child-centred service delivery model, including by strengthening professional development and supervision in the delivery of good quality child protection services.

It also urged local governments and civil society organisations to improve cooperation with social work centres to develop and support new community services around the country, including services to support children at risk, Romani children, and children with disabilities who are victims of discrimination and segregation.³⁵

Following its first political Intergovernmental Conference on accession negotiations with North Macedonia in July 2022, the Commission immediately launched its screening process, which is organised in thematic clusters “*in order to inject dynamism into the negotiating process*”. The Screening Report published in July 2023 contains a section on the rights of the child and the Commission’s critical assessment of the state’s shortcomings. The following key points are directly excerpted from the Commission’s report:

- The legal framework is outdated and not in line with international standards and EU directives, including the Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings.
- Societal and inter-party consensus is insufficient on key legislative reforms to bridge legal gaps, following the needs and best interests of children. Discrepancies between the family law provisions on adoption and international standards remain.
- Structural challenges are inadequately addressed, such as the lack of resources by state institutions dealing with child rights, the lack of strategic documents on child rights and functioning of the statutory body responsible for overseeing implementation of the Convention on the Rights of the Child. An action plan for children, including a sufficient budget and sectoral models to provide effective services for children, has yet to be prepared.
- Cooperation among institutions to better understand and address the challenges faced by different groups of children such as children with disabilities, vulnerable children, children from minorities (including Roma children), is weak.
- Challenges remain to fully implement the national strategy to end violence against children (2020-2025). Resources destined to the child protection system to address the increasing challenges of online violence and abuse (cyberbullying) remain lacking. Awareness raising efforts

32 Permanent Mission of the Republic of North Macedonia to the UN, *Replies for the preparation of a thematic report of the resolution on the Rights of the Child*. 19 September 2019. Available [here](#).

33 Organogram of the MLSP, available on the Ministry’s website. Available [here](#).

34 UNICEF, *WELLBEING and rights of adolescents in foster care: final report*. Research team Boge Bozinovski, Zoran Stojanov and Biljana Lubarovska. Skopje: UNICEF, 2019 Available [here](#).

35 European Commission, *Staff Working Document, North Macedonia 2022 Report*. Available [here](#).

on violence against children among the general public and professionals to recognise abuse and report it are insufficient.

- The country lacks programmes to provide social, psychological and legal support children victims of violence. Additional measures need to be taken and implemented in order to ensure that vulnerable children are protected from sexual exploitation.
- The social protection system is currently not enough child-sensitive and not sufficiently based on a child-centred service delivery model, with a lack of professional development and supervision in the delivery of good quality child protection services.
- Efforts are needed to ensure equal access to quality education. Legal education provided to judges and public prosecutors on issues such as discrimination based on disability, gender based and sexual violence against women, and violence against children is lacking.
- The law on juvenile justice is not systematically implemented. Access to justice, legal representation and the capacity of public officials involved with child victims, child witnesses and children in conflict with the law are still inadequate. The inter-sectoral approach to implementation of the legal framework is not systematised and streamlined among professionals of juvenile justice.³⁶

³⁶ Excerpted from European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), *EU Screening 2023 Cluster 1 Fundamentals*, pp 60, 61. 20 July 2023. Available [here](#).

DEINSTITUTIONALISATION

Prior to deinstitutionalisation efforts, the institutionalisation rate (number of institution residents per capita) had been low in North Macedonia compared to the EU average: 1.1 residents per 1000 inhabitants, which is half the EU average and much less than neighbouring countries. As the government acknowledged, this low number did not mean that the upcoming deinstitutionalisation process would be easier, but rather that it could be completed in a shorter period of time.

After years of what it described as ‘uneven development’, the North Macedonian Government launched its National Strategy on Deinstitutionalisation 2018–2027, and unambiguously committed itself to:

“an intensive process of deinstitutionalization, with the main commitment being to ensure that no child under the age of 18 is placed in an institution after 2020.”³⁷

DEINSTITUTIONALISATION TIMELINE

Below is a brief timeline of the accelerated pace of developments on this front since 2018.

20 FEBRUARY 2018

Sexual abuse scandal in Skopje care home: Romani victims accused of lying and inventing stories.

In February 2018, a scandal erupted in North Macedonia, forcing the immediate resignation of the head of ‘25 May’ a centre for troubled youngsters in Skopje, “for moral reasons” over a scandal involving neglect and sexual abuse of Romani minors. This was prompted by the ERRC’s action following disturbing reports and testimony from victims to an ERRC human rights monitor.³⁸

In one case, a 13-year-old girl, known only as R.I., had to undergo an abortion, following an ordeal in which she had been kidnapped from the centre and held for 30 days before she was able to escape. The care authorities did not report her disappearance to the police or parents. In her testimony to an ERRC human rights monitor, the girl also described how she had previously been sexually abused at a ‘children’s summer camp’ by an unknown older man. When she reported these abuses to care-workers she was accused of lying and inventing the stories.

The ERRC obtained similar testimonies from two Romani sisters from the same institution, V.A. aged 16, and L.A. aged 13. They would also frequently go missing from the care home, and their disappearances similarly went unreported to police and parents. According to their testimony, an older man identifying himself as an employee of the Centre for Social Work took them from the home to Skopje’s old train station, where he sexually abused them. Their mother reported the case to the police and took them to a gynaecologist, who concluded that the girls had indeed suffered sexual violence.³⁹

The interventions by the ERRC prompted a series of actions which included disciplinary measures against 33 staff members, the resignation of the care home director, and two suspects being taken into police custody on charges related to human trafficking and abuse of minors. The scandal provoked strong condemnation from the Prime Minister and a promise that justice will be done.

The then relatively new ministry in the government, which assumed office in May 2017, said it was well aware of the poor state of Macedonia’s social protection system, and stated:

“The case with R.I. shows the anomalies of a devastated social protection system, especially when it comes to children who face specific risks.” The ministry pledged that by mid-March it would start disbanding similar state facilities, which have remained practically unchanged since the fall of the old socialist system, and replace them with a network of smaller shelters, so that each vulnerable youngster receives more individualised attention.⁴⁰

³⁷ The Republic of Macedonia Ministry of Labour and Social Policy, *National Deinstitutionalisation Strategy of the Republic of Macedonia for 2018–2027 ‘Timjanik’ & Action plan*, Skopje September 2018. Available [here](#).

³⁸ ERRC Press Release, *Exposing sexual abuse of Romani girls in Macedonian state care*, 15 February 2018. Available [here](#).

³⁹ *Ibid.*

⁴⁰ Sinisa Jakov Marusic, ‘Sex Abuse Claims Rock Macedonian Youth Centre’, *Balkan Insight*, 20 February 2018. Available [here](#).

SEPTEMBER 2018

Following two earlier rounds of expert consultations and public debate on draft versions, the Government of North Macedonia launched its deinstitutionalisation strategy.

As the report introduction stated, the National Deinstitutionalisation Strategy of the Republic of Macedonia 2018–2020 ‘Timjanik’ and its Action Plan were developed with financial and technical support of the European Union through a participatory and consultation process that was implemented by means of a large number of meetings, discussions, debates, and conferences.⁴¹

2 OCTOBER 2019

Mayor welcomes deinstitutionalisation process, and calls it a ‘sunny day for Bitola’ as last large-scale child care institution in North Macedonia undergoes complete transformation, and for the first time in the country’s recent history there is no infant or toddler living in a large-scale institution.

As reported by UNICEF, with the opening of the five small group homes in Bitola the Ministry of Labour and Social Policy, together with partners, initiated the complete transformation of the “Home for Infants and Toddlers - Bitola” after the last twenty-seven children were resettled in community-based alternatives. The home in Bitola was not closed, but rather was being transformed into a provider of new social services for children and families.

At the event, Government Minister Carovska reaffirmed the commitment of the government to complete the process of ending the placement of all children (under 18 years) in large scale institutions one year ahead of schedule: *“In 2018, when we started the process, we had 180 children in institutions. The remaining eleven children - over the age of three - will be cared for in a family-like environment by the end of the year. We will continue to care for children with even more dedication and love because early childhood development is crucial for the further development of children.”*⁴²

UNICEF Representative Benjamin Perks underscored the historic nature of the reform, and emphasised the need for ongoing government commitment and resources: *“There is no decision a government can make that will have a greater impact on the life of a person, than what to do with a child deprived of parental care. We celebrate and congratulate the government on this historic reform - for the first time in recent history there is no infant or toddler living in a large-scale institution. But to sustain its success, this reform will need continuous commitment and resources.”*⁴³

20 NOVEMBER 2019

Government pledges “no child under the age of 18 is placed in an institution after 2020.”

To mark the 30th anniversary of the Convention on the Rights of the Child, the Government of Macedonia made the following public commitment:

*“Based on the principle of the best interests of the child, with a view to prevention and early intervention, the policies of the Government of the Republic of North Macedonia and the Ministry of Labor and Social Policy are aimed at abandoning the practice of placement of children in an institution and their further “institutionalization”. The Government, through the Ministry of Labor and Social Policy, is conducting an intensive process of deinstitutionalisation, with the main commitment being to ensure that no child under the age of 18 is placed in an institution after 2020.”*⁴⁴

9 FEBRUARY 2021

UNICEF finds significant progress on DI, but support services for vulnerable children are inadequate.

In its country program document for North Macedonia, UNICEF found that significant progress made in deinstitutionalisation means that no children now reside in institutions. However, support services for families and caregivers are limited and mechanisms and capacities to prevent child abandonment and separation are inadequate, including for Romani children who need targeted services due to high levels of exposure to abuse, exploitation, and separation from families. Health-care and social workers and other professionals lack the necessary skills to recognise parents and expectant parents who could potentially abandon, abuse, or neglect their children and to support them to prevent such actions.⁴⁵

41 The Republic of Macedonia Ministry of Labour and Social Policy, *National Deinstitutionalisation Strategy of the Republic of Macedonia for 2018–2027 ‘Timjanik’ & Action plan*, Skopje September 2018. Available [here](#).

42 UNICEF Press Release, *North Macedonia ends the placement of infants and toddlers in large scale institutions*. 3 October 2019. Available [here](#).

43 *Ibid.*

44 Pledge by North Macedonia: *Commitments to mark the 30th anniversary of the Convention on the Rights of the Child*. 20 November 2019. Available [here](#).

45 UNICEF, *Draft country programme document, North Macedonia*. 9-12 February 2021. Available [here](#).

NATIONAL STRATEGY FOR DEINSTITUTIONALIZATION 2018-2027

In the *National Strategy for Deinstitutionalization 2018-2027 ‘Timjanik’*, the North Macedonian government described the vision driving its strategy on DI as “a system of social

service delivery based on a human rights approach that promotes the rights, inclusion and dignity of users.” The goals of the process comprised four ‘basic pillars of transformation’:

- 1 TRANSFORMATION AND CLOSURE OF INSTITUTIONS**
- 2 RESETTLEMENT OF RESIDENTS TO COMMUNITY**
- 3 PROVISION OF COMMUNITY SERVICES**
- 4 PROVISION OF INSTITUTIONALISATION**

The overall objective of the strategy is described as follows: “Practically in the future system there will be no more residential care institutions – they will undergo a transformation process and will have a new role in the social protection system, while residential care will be supplanted by community support services and community-based living services.”

Below is a government table showing the basic pillars of transformation of institutions and policy measures required to enable the transformation:

Basic pillars of transformation – goals	1 Transformation and closure of institutions	2 Resettlement of residents to community	3 Provision of community services	4 Prevention of institutionalisation
Policy measures accompanying, supporting transformation	<ol style="list-style-type: none"> 1 Coordinated, resolute policies 2 Changes in legislation 3 Change in financing: redirecting funds from institutions to community services 4 Social inclusion and enabling the systems of social care, education and health 5 Provision of social housing 6 New approaches and methods 7 New standards of quality, monitoring and development of community services 8 Training and enhancing capacity of the staff 9 Awareness and advocacy 10 Services lead by users 11 Piloting of new initiatives and methodologies 			

The DI strategy envisages that the “backbone of a new system will be personalised care and support services well integrated at all levels, flexible and able to adapt to change and new needs, well-managed and transparent as well as cost-efficient.”

The challenge identified in the strategy “is to find ways to support and improve the support provided, in this way thereby preserving the best practice, and supplanting the worst, with the appropriate community (action) response that will not damage the existing informal support.”

The strategy aimed to supersede the previous efforts of the past twenty years, described as being of “uneven development, characterised by a series of stops, starts and considerable stalling”, where targets were not met in terms of numbers of resettled residents, and where “furthermore none of the institutions were transformed completely nor were personalised services or the response by the community adequately developed.”⁴⁶ The government called for swift and decisive implementation, where the setting up of community services must be

⁴⁶ The Republic of Macedonia Ministry of Labour and Social Policy, *National Deinstitutionalisation Strategy of the Republic of Macedonia for 2018–2027 ‘Timjanik’ & Action plan*, Skopje September 2018. Available [here](#).

accompanied by an ‘active and efficient transformation and closure of institutions.’

According to the strategy, what is essential for prompt, effective, and successful deinstitutionalisation is a solid political will over the short, medium, and long-term periods as well as active, inclusive, and democratic leadership of institutions. Other vital

ingredients included: quality (re)training of staff and service providers, new methods and organisational structures, the participation of civil society, a strong coalition in favour of deinstitutionalisation from all stakeholders, involvement of users, a commitment to users’ rights and service user empowerment, and a coordination of activities, good monitoring and routing processes based on evaluations and research.

COMMUNITY SERVICES, IMPLEMENTATION GAPS, AND RISKS

While there are no legislative barriers for most of the new forms of community-based services, the government has acknowledged that neither the ‘hardware’ (i.e. facilities, financing) nor the ‘software’ (i.e. methods, procedures, knowledge, and skills), for implementing the transition to the community-based services were sufficiently developed.

The system was described as rigid in its responses, and management ability to effectively organise, innovate, or exercise autonomy in decision-making as underdeveloped *“be it for reasons of current custom or administrative and political limitations”*. The strategy identifies gaps in academic education and practical training, and notes that existing monitoring is not proactive and has little developmental effect. The civil sector is recognised as the carrier and main force of change and reform, but the role of CSOs remains dependent on support from international agencies, as well as government decisions.

The development of personal services was described as ‘in its initial phase’. Such services include three major types: mobile and outreach services including variety of home help and home care; personal assistance and personal care packages; and many more minor services. As the strategy

plainly admits, one obvious disadvantage is that very few of those services were in operation in the country.

In terms of differences to be taken into account between groups, in the case of children the government proposed two ‘sub-streams’: one for children with disabilities and one for children experiencing predominantly issues of social deprivation (children without parental care, in conflict with the law, children with educational difficulties). The first stage of the strategy would be dedicated to resettlements and resettlement activities for children, residents will be resettled into the community by the end of 2023, and such institutions shut down or completely transformed.

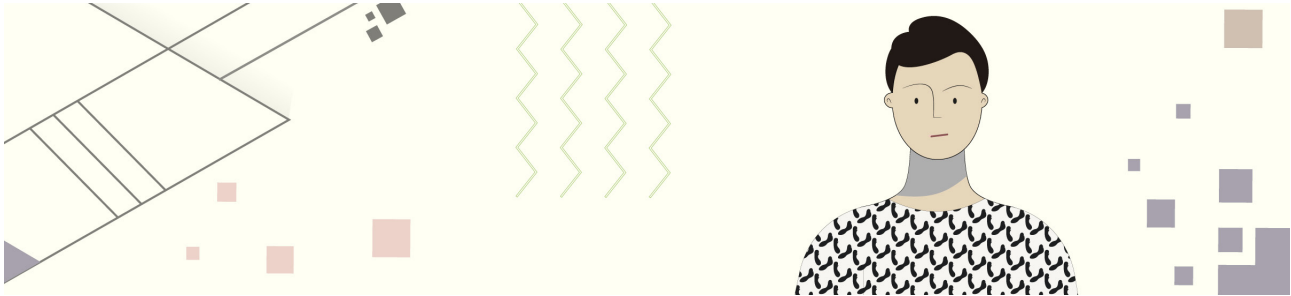
The strategy identified the main risks to successful DI as a decline or loss of political will, inconsistency in its implementation, resistance from employees in institutions, and the community environment. To mitigate the risks, the government stressed the need for consistent, sound management, an effective monitoring and evaluation process, a broad coalition of actors for change, and continuous dialogue with the community and all stakeholders to broaden and sustain support for change.

We are the only country in the region that has eliminated the large institutions. But the process is not over yet

FRONTLINE PERSPECTIVES ON ACTUALLY-EXISTING DI

To gain insight into the actual situation, an ERRC researcher conducted over 20 interviews with representatives of institutions, front-line service providers and NGOs, small care home staff, and foster-carers, as well as parents from families at risk, and one young Romani person who has been ‘through the

system’, to provide details of their experiences and perceptions, as well as personal analysis on what’s right and what’s wrong with actually-existing deinstitutionalisation and recommendations about what needs to be done to fully protect the rights and wellbeing of Romani children in North Macedonia.



YOUNG LIVES AT RISK, AND IN CARE: “TO END UP ON THE STREETS IS THE WORST”

18-year-old X, who chose not to remain in contact with his biological parents, described his turbulent childhood, with stints in a foster family, on the streets, and in a state-care institution:

I was four-years-old when my parents had disputes that resulted in me, my brother, and my sister being placed with a foster family in Kochani. It was great, we were not maltreated, we went to school and everything was lovely. Then the license to be a foster family was taken away from them. The reason was kept a secret from us, as children we did not witness any reason why the foster family’s rights were taken away from them. We were there for almost 10 years, I was 14 years old when we left them, and was sent to live with relatives in Shtip. These relatives live off begging, I had to go about and provide for myself. It is very hard to live on the streets. With the relatives, we often would get into quarrels and we’d be left out in the street. After a while, I realized it is safer for me to live on the street than to live with them.

I had to ask the social centre to find me another alternative. Then they moved me to a small group home. It was great in the small group home (SGH).

X was accommodated in Skopje 25 May, a former large-scale institution which had been transformed into five separate SGH units. He described the institution as being for children with bad behaviour and social-educational problems; problems he did not have then:

We were only looking for accommodation, but we couldn’t get accommodated in other institutions at that moment. We had a lovely time in the SGH, we had food and drink, it was clean and hygienic. We had great communication with the employees, they helped us with school, and we had caregivers 24/7 for us. I can’t make any bad remark about the home, it wouldn’t be true if I said it wasn’t beautiful there. But it all ends when you have to get out of there, that is the worst thing that could happen.

As young children, X and his brother acted on their own initiative to get off the streets to request accommodation a home, without any knowledge that the home had been transformed into a SGH as a consequence of DI:

There is nothing worse than living on the street. We thought that kids steal and get beaten regularly in the Homes (the former large-scale institutions). And we still agreed it is better to go into the home and get beaten, than to live like that on the street. To end up on the street is the worst: first - you’re not safe. Kids, we were just 14-years-old, we were not psychologically not physically able to handle life on the street. So, we decided getting beaten but having a roof and a bowl of food is better than life on the street, and we asked to be sheltered in a Home.

The reality confounded their expectations of life in a care home, and X’s description is a vivid testament of the extent to which DI in North Macedonia, for all its imperfections, has transformed care-home life for the most vulnerable children:

I never expected what I found in the home! My whole life changed. When we got in our socks were stinky and the home was so clean! The educators were so nice to us. There are rumours that educators violate the children, beat them, etc. Nothing like that happened in the last four years. It is very different when you are in a house with these people. Other children have confirmed what we thought of the old Home Institutions, it was chaos back then. But now in the houses, everything is in order: everyone goes to school, gets an education, returns home, knows their chores... You get to learn the moral values of life in the SGH.

While the care X received was exemplary, and inside the home he never experienced discrimination due to his ethnicity – “Quite the opposite, everyone was nice and enjoyed their work, they have not treated me just out of obligation but really wanted to assist. Maximum engagement, they were very okay.” – the system

Other children have confirmed what we thought of the old Home institutions, it was chaos back then

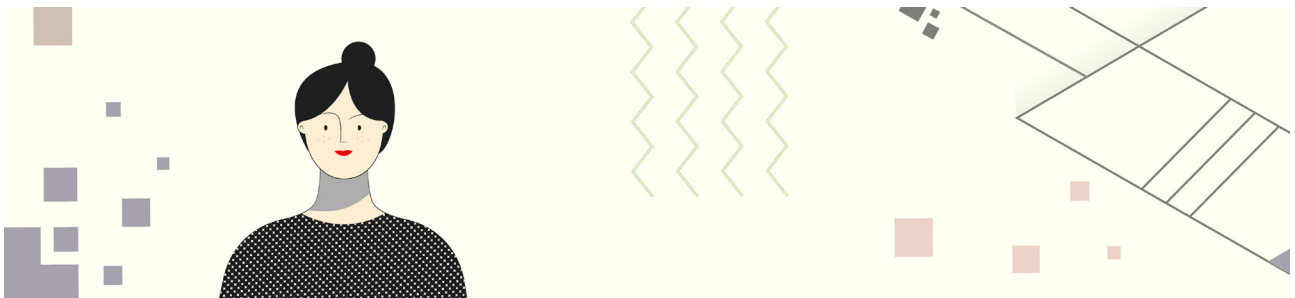
would drastically fail him when he turned 18 and it was time to leave the SGH. Upon leaving, X explained, you get a one-time payment, equivalent to about 3,000 Euros, but it's hard to rent if you haven't got a job, and if you rent somewhere and can't find a job, and soon you can't pay the rent, the risk of ending up on the street is very real:

Well, I landed on the street after leaving the SGH. And it was quite a long time, three to four months maybe. From June until November, I lived on the street. The reason why that happened, was that I had neither accommodation, nor any money. Even today I still can't get my financial aid! The reason they gave me the last time I dropped into the SWC these days that this financial aid is supposedly for children deprived of parental care and without parents. And I am only deprived of parental care according to them. I submitted an appeal over this. My father died, but I've never had much communication with him before that.

I was never in touch with them. They are most to blame for the life I have.

When asked about what needs to be done, X was emphatic about the need for more substantial reform, especially for young people who come of age inside the state care system:

The state system has to change, it is not only about X or any other kid who came to the home and enjoyed it. Yes, I enjoyed the care and the food, I even enjoyed working voluntarily to earn and save money when we got out. But most kids don't get to do that. They don't have anything, nothing to start from. So, the state should provide housing, I know granting apartments is too expensive but having your rent set for two years after leaving care would be a great start. You can't get on your own feet without such help. I am working two jobs at the moment, and have some personal financial support, and still find life hard, imagine how is it for regular kids who are not this lucky?



EXPERT PERSPECTIVES ON DI AND 'THE BEST INTERESTS OF THE CHILD'

In interviews with representatives from the Ombudsman's office, UNICEF, and the President of the Commission for Prevention and Protection from Discrimination (CPPD), there was much consensus on the specific challenges facing Romani children, and the need for a more comprehensive holistic and much better-funded approach from the authorities to safeguard the rights and guarantee the wellbeing of all Romani children. As for DI, while the huge care homes have been shut down, and the system strives to act in the best interest of the child, right across the spectrum of interviewees there was unanimity that much more needs to be done.

The Ombudsman described the main challenges facing "this especially vulnerable category of the population", was that significant numbers of marginalised children were being raised in substandard living conditions. This is especially true of Romani children, whose families face enormous challenges such as overcoming poverty, illiteracy, and a wider systemic disinterest in understanding and addressing the specific needs of children:

Access to social protection is very limited, or at least obstructed, by the large amount of documentation these families have to provide to be able to apply for, and access social care. And we're speaking about legally invisible persons, children, a majority of them Roma children, according to our research. This means they are deprived of their rights from the start.

When asked how **the challenges Romani children face** differ, the Ombudsman made a distinction between 'urban families' and those who are utterly marginalised. In the urban families where one or both parents have education or a job, even if they are at risk of poverty they have clear views on the importance of children's development, wellbeing, and education.

But in utterly marginalised families, living without water and electricity supplies, in hard conditions, the kids are often left on the streets, exploited in beggary, and lead lives completely at odds with what a child deserves. Instead of free play and friendships, these kids have to grow up very early and have to take care of themselves, and even the rest of

their families. The fact that we have so many such families indicates great and numerous challenges.

On the issue of **deinstitutionalisation**, UNICEF, which has worked extensively on DI and child care with the most vulnerable and marginalised categories of children, and devoted much to the process of closing the institutional homes and opening more convenient alternative care units, described it as a great success:

We are the only country in the region that has eliminated the large institutions. But the process is not over yet. The transformation is not only physical, moving the children from large institutions to small institutions. It is an ongoing process because it is not in the best interest of the child to be accommodated in a small home and left there until they become adults. It will always be best for a child to be integrated and accepted in a healthy environment no matter if they have parents or not. In general, in the long run, we're talking about a family environment and reducing - even closing - the small group homes. Foster families and living with relatives are always better options. This is why we consider this process far from finished.

On the issue of DI, the Ombudsman stated that while the closure of the large-scale care institutions has been completed,

and the system strives to act in the best interest of the child, there needs to be more diversity in care provision beyond foster families and small group homes, and much more needs to be done to achieve the “*complete and unbindered implementation of children's rights and the principles enshrined in the convention.*”

When asked about the current state of play with the **DI process**, the UNICEF interviewee replied that:

The process is not stuck. If we look back, the process started around 2017. It all went fast, there was a huge political will and great pressure to get things done. Our involvement was limited to the segments targeting children. We worked on closing the institutional accommodation and providing alternative care for the children in the forms of kinship care, and foster care, and where this was not possible, opening small group homes accommodating up to five children each and fostering a family atmosphere in such units. We searched for houses and apartments, and we employed and trained staff to work 24/7 with the small group homes. That resulted in emptying the large institutions and moving the institutionalised children into the new small units. Most group homes are in Skopje, but there are a few in other towns too. At this moment not a single child is left in the institutions. That transformation is done.

It will always be best for a child to be integrated and accepted in a healthy environment no matter if they have parents or not

Echoing the testimony of X, who found himself on the streets after coming of age and leaving the care unit, UNICEF insists that in order to finalise the DI process, cross-sectoral efforts are needed to provide support for **young people exiting the care system**:

Problems always arise when a child turns 18 because no one monitors or cares about that person anymore. The SWC should monitor them, for the children are rarely ready to exit the care system and live a life of their own. This is a major problem. Unlike children who grow up in families, and continue being supported after they turn 18, these children need to be educated in managing their finances, budgeting, education, inclusion in the workforce, and everything to do with independent living.

Similar concerns were expressed by the Ombudsman about the ill-preparedness of such young people for life outside the institution:

We are creating a generational problem with this, because the SWC and the state say 'you're no longer under our jurisdiction' the moment they turn 18 ... Many such children lack the capacities to function independently as individuals without support. These young people have no place to go, and no one to take care of them; they have to find their place in society, find housing, find jobs, etc. We have to find a way to help these

youth in their transition from state care to independent life, at least for the first few years.

As regards **removals and placement of children** in institutions, the Ombudsman stated that the main grounds for removal are abandonment and neglect, and that the SWC is obliged to remove children at such risk, and accommodate them in the closest thing to a family environment - either with close relatives or foster families - or, in the case of young offenders, placed in institutional care. But they emphasised that **removals are a measure of last resort**:

The removal of parental rights is not a hasty decision, and along with the temporary removal of a child from its family, it is a measure taken only when it is evaluated that it is in the best interest of the child... Removals are a measure of last resort, taken only when it is evaluated that staying with the parents would be a worse outcome for the child than taking them away.

On the issues related to **abuse, endangerment, and neglect** of children within the care system, the Ombudsman stated that while there have been no more extreme cases since children have been accommodated in small group homes, “*we cannot say there is no risk. The main difference is that the risk of being abused inside the home is greatly diminished, this could only happen outside by third parties beyond the control of the team of*

professionals. Just like other children, they go to school and socialise, they cannot be imprisoned.”

What is important in protecting youngsters from abuse or exploitation, according to the Ombudsman, is an educational preventative approach by professionals that fosters open dialogue and further minimises any risks the children face.

When asked by the interviewer if there were any instances where children were removed for reasons that later proved to be unfounded or trivial, the Ombudsman responded: “No, not a single one from all the cases I have worked with or am familiar with” and, more than once, denied that either prejudice or discrimination played any part whatsoever in the way in which children at risk were treated by the responsible agencies.

Each of the interviewees was asked **whether the system works, whether it works in the best interests of the child, and what needs to be done to improve it.** The president of the CPPD, responding in a personal capacity, felt that ‘the Roma question’ is still not a priority, and that despite the adoption of a strategy and programs there hasn’t been much visible progress. She placed issues around children at risk or in care as part of a wider problem of social exclusion that must be adequately addressed:

I think that the infrastructure is the most basic issue. Housing is also important for someone to have equity in society. Education and healthcare are also important, but people can’t participate in society if they struggle to live in their own place. How can we expect someone living in substandard conditions to become their best self and bring value, and contribute their optimal maximum

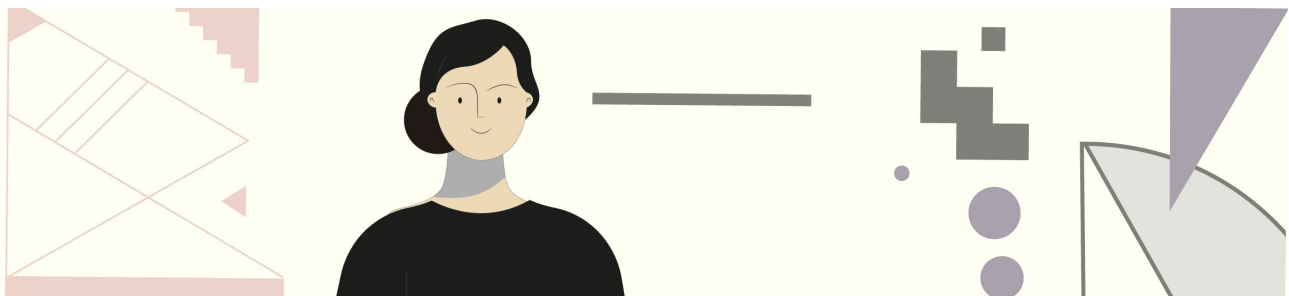
to society? Even the most talented child can’t succeed if they faced the degree of poverty that most Roma children do.

The Ombudsman stated while that the system strives to act in the best interest of the child, it must do better:

As the Ombudsman’s office, we can’t find ways to fix those issues that other institutions are in charge of. But we do encourage them to treat the children as if they are their own. If you take a child from its family the least you can do is to provide it with better conditions and perspectives than it had in the family. Unhindered exercise of children’s rights mean financial constraints can’t be a reason why a child can’t have high-quality healthcare, or a good education...

The UNICEF interviewee found it difficult to say whether the system works in the best interests of the child, because the system is so balkanised in so many aspects and incorporates a multitude of professionals, experts, and sectors. UNICEF’s multi-sectorial approach involved training social workers, lawyers, policemen, ombudsmen, judges, professionals working in the small group homes, the disciplinary homes, and mediators. A comprehensive and holistic approach is needed across all relevant sectors to ensure the best interests of the child take precedence over other considerations, and in this regard there is still some way to go:

In reality, when a child is accommodated in alternative care, half of these services don’t even visit the child and have no perspective on what is going on, while they have a duty to make recommendations for the next steps, and then these recommendations are not based in reality. It is their decision whether the child with stay there, or return to their family...



VIEWS FROM SMALL GROUP HOMES: “HERE WE WORK LIKE A FAMILY”

The interviewees from the Small Group Homes (SDGs) were enthusiastic about the **transformations brought about by deinstitutionalisation (DI)** that allow them to provide dedicated care to each individual child, something that was impossible in the old homes where two educators would be assigned to about 70 children. As the interviewee from the ‘Public institution for taking care of children with educational-social problems and disturbed behavior-Skopje’ (JUZDVSP) explained:

The SGH has up to five children and six educators that rotate in three shifts. Children have an educator with them at all times, 24 hours every day. We have an individual approach, mapping the needs of every child, identifying and addressing the weaknesses of every child, help them work on their strengths, and influencing their individual system of personal values.

One Skopje-based care professional described the opportunity educators now have to get to know each child as the ‘top benefit’ of the process. Children formerly accommodated in one large home are located in small units across the town, “and get to socialise more naturally [...] They are socialising in the regular schools, not like before when we had teachers coming into the institution from the nearby school.” The children go on day-trips, visit local attractions, go to the pool, go on vacations, with the effect that “the children don’t belong in an isolated ghetto anymore, they are not stigmatised anymore with the label ‘children from the Home’. This is very important and life-changing for them, although it may look like a small thing for us.”

DSJ from Shtip also confirmed the extent of the transformation wrought by DI, and how colleagues who had formerly worked in large institutions such as ‘11th October’

recall how difficult it was for a sole educator to work with 20 children in one shift, whereas now:

Here we work like a family, I'm their mom, dad, doctor, and teacher. We're just like family ... With just five children, everyone can tell me everything, they tell me all about their day, and their problems. They also get to work in the home, they sometimes cook and clean just like they would in a regular family.

When asked if the **system works and prioritises the best interest of the child**, DSJ stated that in her small group home the children's needs come first, and that as educators their task is to build the youngsters' self-confidence to better face the future that awaits them, *"We had a heart-warming conversation the other day because they are all different ages, they were discussing who will leave first and who will visit the others and how often... It was very special to hear them make this kind of plan."*

As for the system, while things have much improved, DSJ said that progress is hindered by staff shortages, low pay, and high staff turnover for caregivers, which means lots of extra night shifts to cover. She described these critical staff shortages as an example of how the state fails to put children first by failing to properly resource optimal care. Dedicated professionals are stretched to fill those gaps, as she put it *"we love the children as our own, and this is our only motivation. But this is not sustainable."*

The interviewee from 'JUZDVSP' described the changes over recent years and the current situation for vulnerable

children as better on every level, and that conditions since DI can in no way be compared with life in the institution, where 10 years ago there were no working showers, the toilets were broken, and the building was in an advanced state of decay.

As to further **improvements in the system**, she replied that it can always work better; funding cuts in welfare, education, and housing present serious challenges to progress. She maintained that setbacks do not mean that the system is wrong; wealthier countries that have been implementing DI for a longer time have mis-stepped, faltered, and failed, *"this means progress in our work is very fragile and every success counts."* What is needed is for North Macedonia to fully complete all the reforms that have been initiated, open more centres, and provide more resources:

I would state that an SDG can't achieve results alone, we need support from the educational system, support against discrimination, especially against national or religious discrimination. We faced this problem from the beginning of the process of deinstitutionalisation. The children that were part of both systems understand the benefits of deinstitutionalisation because they feel them every day. It is as if these children became wiser in the process. I invite you to visit the home and witness how children thrive in the new surrounding where they actually feel their needs are met, their rights are respected and they are stimulated to act upon their responsibilities in the environment we now provide.

We love the children as our own, and this is our only motivation. But this is not sustainable

CENTRES FOR SOCIAL WORK: OVERBURDENED AND UNDER-RESOURCED

As mentioned earlier, the Centres for Social Work (CSW) are the first-response institution when a child should be taken from their parent(s) or placed in state care. While the power to permanently revoke parental rights in cases of abuse or neglect of the child lies with the civil courts, the CSW is required to provide an opinion to the court. Under the Child Protection Act, the CSW is the key institution deciding on and ensuring that the best interests of the child are taken into consideration in the processes of adoption and placement under guardianship.

As UNICEF noted, these centres, which are often the nexus for social care provision in the community, are particularly underrepresented in rural areas where they are needed most, and many existing Centres and social workers are overwhelmed with more cases than they can possibly manage. Social work professionals within the CSWs are also overburdened with administrative work which *"makes them less able to focus on*

*preventive field work – work that may be the key to really support children and their families. That also means that too many children are left out, facing increased risks for their development and their general well-being."*⁴⁷ In its 2022 recommendations, the UN Committee on the Rights of the Child called on the state authorities to:

*"Strengthen the Social Work Centres by increasing the number of social workers and ensure their 24/7 availability, formalize coordination and collaboration with the health sector and law enforcement with the aim of ensuring unified approach to support service for children at risk."*⁴⁸

The researcher interviewed two representatives from CSWs to get a sense of how the centres operate, notwithstanding government funding cutbacks and staff shortages. There is no doubt, from their perspective, that the situation has improved since DI was implemented in earnest:

47 UNICEF North Macedonia, *Social Support and Care Services*. Available [here](#).

48 UN Committee on the Rights of the Child, *Concluding observations on the combined third to sixth periodic reports of North Macedonia*, 23 September 2022. Available [here](#).

The best thing is the size of the groups and the size of the place. A cozy home in which a small group of children is at all times monitored, and cooperating with adults and educators is way better than any previous form.

One SWC interviewee stated one major challenge for the SWC in the wake of DI is the lack of resources to treat all children at risk, for instance, children with substance abuse issues:

Our drug abuse centres cater only for adults; minors can't be treated there. Minors who are drug abusers need more than a consultation, they need medical treatment and support. This means the SWC, parents, family, temporary accommodation, and a medical centre need to work together to help these children overcome their addiction and prevent relapse. And because we have none of this, we just see these children remain in the environment that caused and fosters their addiction. With no other resources available for their treatment, our efforts are futile...

Another echoed the complaints made by social workers of staff shortages in the small group homes, which need 24-hour cover, and of the failure of the ministry to respond to requests from the SWC.

Otherwise, the home is new and well-equipped. The children have computers and all facilities are new and functional. In technical aspects, it is all well. But the staff shortage is really a problem. The shifts are covered voluntarily by the existing staff. Often they work 12 instead of 8-hour shifts, and this includes Saturdays and Sundays too. It is not sustainable.

In the interviews conducted by the ERRC, the care professionals came across as benign and deeply committed to the wellbeing of all children at risk. Many were unambiguously forthright in their analysis of the structural aspects of racism and how anti-Roma discrimination is reproduced by a wider system that often fails to act in the best interests of the child.

While the CSW interviewees and other service providers were emphatic in their assertion that **ethnic discrimination** plays no role whatsoever in the deliberations, decisions, or dealings with families and children, some remarks about the challenges facing Romani families at risk spilled over into prejudicial observations about Roma in general:

“But another great issue the Roma child has is parenting capacity. Most Roma parents are under-educated, and often illiterate. They are not capable of decently taking on the responsibility of parenting.” Or in another case, an interviewee remarked that “violence is very present. Patterns of violent disciplining of children are very present in the Roma population.”

By way of context, according to UNICEF as many as 4 out of 5 children in the country face violence from their parents: “children are too often exposed to at least one form of violence within their homes, from psychological aggression, to minor or severe physical punishment.”⁴⁹ If, according to the official census, Roma constitute a mere 2.53% of the total population, then the issue of ‘patterns of violent disciplining of children’ is clearly not a matter of ‘Roma culture’ but rather an issue afflicting the entire North Macedonian society.

These remarks were atypical of most interviewees, but do raise the question of the extent to which social care professionals are immune from societal prejudices. Overall, individuals and institutions in North Macedonia displayed a higher level of alertness than elsewhere to the ways in which discrimination can manifest itself, and of their obligation to redress such situations. When asked if families at risk are treated any differently by the SWCs if they are Roma, the President of the CPPD, herself of Romani origin, made the following comments based on the CPPD’s experience of Roma-focused sensitisation training provided for SWCs:

We got the impression that they are kind of racist on a subconscious level. It was a red flag how openly SWC workers would state they feel that too many rights are given to the Roma population. We even needed to explain that the affirmative measures are not discrimination against others, but just a way to bring more equity to marginalised groups which happen to be Roma.

This problem is woven into their perceptions, it is not a new one. This is why we have employed Romani people in the Roma Info Centres (RICs). In the past RICs were separate entities, now they are part of the SWC, so if a Romani person encounters any problem in dealing with the institution, they can at least talk to Romani employees in the Municipality/SWC. This should result in better access to citizen services for Roma people. The Romani NGOs contributed greatly to this solution.

We got the impression that they are kind of racist on a subconscious level

49 UNICEF North Macedonia, *Survey on Parents’ & Caregivers’ Knowledge, Attitudes, Practices re. violence against children*. June 2017. Available [here](#).

FOSTER CARE

On 17 May 2023, the Ministry of Labour and Social Policy and UNICEF launched the foster care campaign ‘Every child needs a family’⁵⁰ which aims to support the efforts of the Foster Care Resource Centres in Skopje and Bitola and the Centres of Social Work countrywide to increase interest in fostering, and to identify foster carers in every municipality to better enable the foster care system to facilitate maintaining a connection with the child’s family, community, and cultural background.

Acknowledging the tremendous efforts North Macedonia has made with DI since 2019, UNICEF representative Patrizia DiGiovanni highlighted the importance of foster care to the success of DI:

*“Unfortunately, there will always be cases when it’s not possible, not safe, or not in the best interest of the child to live with their biological family. In such cases, first the biological family should be supported. But if the support cannot immediately improve the family situation, there are alternative forms of care, and foster care is the next best alternative form of a family environment.”*⁵¹

This point was emphasised by the UNICEF representative in their interview with the ERRC, who stated that beyond closing large institutions and placing children in smaller ones, DI remains an ongoing process because it is not in the best interest of the child *“to be accommodated in a small home and left there until they become adults. It will always be best for a child to be integrated and accepted in a healthy environment no matter if they have parents or not. In general, in the long run, we’re talking about a family environment and reducing, even closing, the small group homes. Foster families and living with relatives are always better options. This is why we consider this process far from finished.”*

THE FOSTERING PROCESS

The manager of the Centre for Support of Foster Families (CSFF), which supports families from Skopje, Polog, Northeast, and East regions, oversees 158 foster families taking care of 228 children. Their main goal, she told the ERRC, *“is to provide 24/7 support in the form of advice, competencies, knowledge, and tools to handle any situation they might face with the children they care about.”*

Evaluation of new families to assess their suitability includes home visits and a couple of interviews followed by an obligatory 10-hour course for foster families. Before the CSFFs came into being the SWCs were tasked with this, but they were overwhelmed and could not provide the necessary support to either the children or the families, *“who need to be appreciated for opening their homes and committing to such a humane activity.”*

The current procedure starts with an SWC evaluation of the child’s situation, and their request to the CSFF to find a

They described the goal to secure foster care for every child, and extend training and increasing support for foster families: *“It would be amazing to have specialised foster homes for child victims of domestic violence and human trafficking. Families trained to support such children would have a greater impact than simply accommodating these children in a small group home. At the moment there are very little or no such capacities.”*

Challenges identified included that fact that beyond Skopje and a few other places, there is a low level of awareness about the need for fostering, and in many towns there are no foster families; more work is needed on monitoring the work of the foster families, as well as building the capacities of the Social Work Centres who need to do the research and make the decisions on which form of alternative care is in the best interest of the child, be it kinship or foster care.

At the launch of the campaign, ‘Every child needs a family’, the Minister of Labour and Social Policy declared that her ministry is committed *“to developing a network of foster caregivers and give them the full institutional support to be able to provide the child in need the best possible care.”*⁵² To fully optimise the potential of foster care to render the process of DI sustainable and ‘complete’, the authorities will have to commit much more than before if they hope to honour the minister’s commitment. The ERRC interviewed social workers and foster families for their perspectives on the challenges, benefits, and potentials of fostering, as well as progress made, and what needs to be done to provide Romani children in care with ‘the best possible care’.

matching family. The match, according to the interviewee, includes the ability to respond to the needs of the child, home conditions, the age of their biological families, and the resources and competencies already noted. After the joint decision of the agencies comes the preparation for placement:

“After that we prepare the family and the SWC prepares the child. This is the ideal process when we have enough time. Sometimes a child needs urgent protection and we have to speed up the process inside a couple of hours. We pay attention to helping the family be receptive to the identity and the trauma of the child, because each child manifests it in its own way.”

When asked if there were any instances where children were taken into care for reasons that were later deemed inadequate, the CSFF manager replied that *“we’ve had cases of SWC asking for urgent accommodation of children after a report without enough information – We have two kids, the school reported the mom is*

⁵⁰ UNICEF North Macedonia Campaign, *Every child needs a family*, 2023. See: [here](#).

⁵¹ UNICEF North Macedonia Press Release, *UNICEF campaign “Every child needs a family” to mobilize new foster families*. 18 May 2023. Available [here](#).

⁵² *Ibid.*

neglecting them and the father is not present' – I always ask them to find the mother, father, talk to them, make sure you try every other measure first before you remove the child. That should be the last measure to

be taken.” Before removing any child they seek out relatives, either aunts or grandparents, to see if they could care for the children, as kinship care is less stressful for the children.

I always ask them to find the mother, father, talk to them, make sure you try every other measure first before you remove the child. That should be the last measure to be taken

She stated that the SWCs need to focus on ‘reinforcing the capacities of the biological families’ wherever possible, to create the conditions for the child to return to the family home, and where those conditions cannot be met to ensure that contact is not broken between the child and its family.

According to the Ombudsman, the fostering process was not without its teething problems; she stated that at the beginning of the DI process there were many unsuccessful placements:

“Children were given to foster families, but caregiving families would fall behind in fulfilling the conditions, otherwise very precisely defined, and the children had to be moved to another family. And were often talking about very young children, 7-8-9 years old, at an age when they need to belong and realise meaningful connections with the family. This often led to run-aways, the child would run away from the next foster family, and another often occurring dysfunction is neglect or abuse in the foster families.

We had a case where a caregiver had his foster care rights taken and demanded the foster children back. But we examined the case closely and got the foster child admitting that they did not feel safe because of sexual disturbance in the foster family. We protected the child, confirmed that this caregiver should not have a right to offer foster care anymore, and lobbied for better laws and protection with institutions that are in charge for such cases.”

The system has much improved since then according to the CSFF manager, who insisted that when it comes to quality of

care *“there is no difference if it is a Roma family or not. Especially after the pandemic, there are so many new cases of children losing their parents, due to COVID or post-covid complications ... all children will be taken care of, and we can guarantee high-quality care and conditions.”* Children of school age are kept informed during the process, the CSFF are on the phone every day with the family and visit them often during the first few weeks, and remain alert to any signs that the child is not happy in this new environment, *“sometimes the child might be content but the family may have trouble adapting. And we help them adapt, connect, and learn how to handle specific situations.”*

As often as possible, Romani children are placed with Romani foster families. Factors taken into consideration include age, ethnicity, health conditions, and the children’s social environment. According to the CSFF manager, if they don’t have a family in the neighbourhood, then they seek a similar setting: *“One crucial insight we gained through experience was that most often, it is the environment that makes it difficult for the child to adapt, where we had always first doubted the caregivers. Success rates are greater if the child doesn’t change the social environment, or changes it for a similar one.”*

She stressed the importance of nationality in terms of preserving the identity of the child in terms of its culture, traditions, customs, and religion: *“In my experience, the Roma foster families in general have no problem taking in a child from another nationality, while many of the Albanian or Macedonian foster families find nationality as a barrier when it comes to fostering children from other nationalities. So, we always pay attention to this, although sometimes we don’t have the appropriate match and we have to make an exception.”*



THE EXPERIENCE OF FOSTERING: FAMILY PERSPECTIVES

When asked by the ERRC what prompted them to become foster carers, the first parent Y explained how, as stallholders in the fresh food market, the couple saw children begging for food every day and wanted to help them in a more structured way. They set up an NGO providing 50-60 small children with literature, drama and art clubs. This experience prompted them to decide on fostering when their own children had grown up and moved out. At the time of interview they foster five children, including two sets of siblings. The eldest, one of two brothers, is 19-years-old, has finished high school, is now employed, and the foster parents are helping him find an apartment.

The other two children were recommended by SWC Shtip:

The boy Y was found next to the river. He was about three-years-old. And his sister was in a hospital in Bitola, suffering from a bad fever. Y had wounds from walking barefoot, he wasn't well at all. In less than a year we took his sister under our roof too. It was our duty to heal them and make sure they are well, healthy, look good, and feel good.

The final addition to the family MM, “was a very problematic child, he was a beggar and always around our stalls in the market. But his mother and father beat him up very often you know. And he was always outside on the street. There is a fountain near, summer or winter he was splashing in the nearby fountain”. Families can foster a maximum of five children, and he was placed with them by the SWC – “He’s here now, a young well-dressed boy.”

They qualified to become a specialised intervention foster family that can provide short-term foster care and accommodation in cases of emergency and special needs, and have cared for 26 children to date. Y has not experienced anti-Roma discrimination from the agencies, and has excellent communication with SWC Veles and SOS Detsko Selo, who “feel like family friends”. He has had no problems navigating the institutions and told the ERRC:

I am very invested in the children. I always went to courts and to institutions to support the children, witnessed in trials, took care of the documents for the kids, and did all the work for scholarships they had, everything! There weren't any problems.

As is the case with so many who are personally invested in ensuring the best interests of vulnerable children prevail, Y was very critical of the meagre amount of financial support for foster parents ‘who are 24/7 engaged with the children’ but, unlike the social workers, are not on a payroll, with health and social insurance:

If families were on payroll, had benefits, etc, can you imagine how many foster families we'd had so far? A few thousand at least. This should be taken in consideration by everyone trying to fix something in this area. We should not have to protest to get our rights respected.

CONCLUSIONS

In her statement on August 2023, marking 30 years of UNICEF's engagement in North Macedonia, representative Patrizia DiGiovanni insisted on the indivisibility and interdependence of all child rights; highlighted the complex relationship between poverty and discrimination, the fact that Romani children are disproportionately represented among children at risk of poverty; and called for greater efforts to alleviate child poverty to prevent intergenerational transmission of deprivation and discrimination:

“We need strengthened social and child protection services, a social service workforce able to identify children at risk of poverty, violence and neglect, and improved social transfer system for children and their families. We cannot move forward as a society if we don't entrench the principle of non-discrimination, of equity, in our vision of future.”⁵³

DI is taking place in a society, which according to Kevin Byrne, has not yet developed a human rights culture, and where child-rights are not embedded in social behaviour or service planning; an unequal society *“where the whole framework for realising children's rights needs to be overhauled and reinvigorated”*, and where Romani children require *“intense, concentrated and urgent action to mitigate the poverty, exclusion and overt discrimination they are enduring.”⁵⁴*

The experience of DI in North Macedonia sets it apart from most other countries with significant Romani populations, where the structural racism that reproduces extreme poverty and renders so many Romani families ‘at risk’ goes largely unquestioned, and the dysfunctional systems which dump hugely disproportionate numbers of Romani children into state care institutions go effectively unchallenged. In North Macedonia, the Ombudsman's insistence that removals of children from their families is a measure of last resort – *“taken only when it is evaluated that staying with the parents would be a worse outcome for the child than taking them away”* – was shared by most interviewees for this research.

In contrast to the official obfuscation encountered in other states, the North Macedonian government's unambiguous commitment to *“an intensive process of deinstitutionalization”* where no child under 18 is placed in an institution after 2020, and all such institutions shut down or completely transformed by the end of 2023, was coupled with frank admissions that the prior process was one of *“uneven development, characterised by a series of stops, starts and considerable stalling.”*

The government's determination to accelerate a process based on the principle of the best interests of the child, was made explicit in its strategy, which effectively abandoned the placement of children in large scale institutions, and sought to replace it

with family and community-based care and services. The strategy included an astute identification of the risks and challenges to successful and sustainable DI. These included a decline or loss of political will, inconsistency in its implementation, resistance from employees in institutions, and the community environment.⁵⁵

While it may be, to appropriate the misunderstood quip from Zhou Enlai, *“too early to tell”⁵⁶*, enough has transpired with the process of DI in North Macedonia to make some tentative conclusions, identify shortcomings, and proffer a set of recommendations drawn from the insights of expert institutions, front-line service providers, and Roma and pro-Roma civil society.

Members of the civil society *Megjashi* team who run an SOS hotline for children, told the ERRC that they had higher expectations of the process, believed that with DI *“these children would finally receive the care they deserve, but complaints about the actual conditions kept on coming our way.”* They stated that while much has changed, they considered government assertions about the best interests of the child to be largely declarative, and concluded that

“Deinstitutionalisation was running fast and uncoordinated, we had an impression that the most visible parts of it were done fast, so that certain political parties will score points in the public eye. There was an implementation strategy suggested by the EU, but the steps and directions were not followed, the sensitization process was skipped, and we encountered problems in the places, in the buildings where the small group homes were opened. The staff working with the children need support, training, and more employees.”

Similar sentiments were expressed by the UNICEF representative to the ERRC, who found it difficult to say conclusively whether the system works in the best interests of the child, because the system is so fragmented and suggested that as far as a multi-sectoral holistic and comprehensive approach, there is still some way to go. The UNICEF 2021 report, while acknowledging the significant progress made in DI, noted that support services for families and caregivers remain limited, and mechanisms and capacities to prevent child abandonment and separation are inadequate, including at-risk Romani children, *“who need targeted services due to high levels of exposure to abuse, exploitation and separation from families.”⁵⁷*

From the interviews with staff at the small care homes, it can clearly be concluded that further progress on DI is hindered by staff shortages, low pay and high staff turnover for caregivers, which means added pressure on remaining staff. One interviewee described these critical

⁵³ UNICEF, *Statement by UNICEF Representative Patrizia DiGiovanni on the right to childhood free of discrimination*. 17 August 2023. Available [here](#).

⁵⁴ Kevin Byrne, *An Analysis of the situation of Women and Children in the Republic of North Macedonia*, UNICEF, Skopje 2020. Available [here](#).

⁵⁵ The Republic of Macedonia Ministry of Labour and Social Policy, *National Deinstitutionalisation Strategy of the Republic of Macedonia for 2018–2027* ‘Timjanik’ & Action plan, Skopje September 2018. Available [here](#).

⁵⁶ See [here](#).

⁵⁷ UNICEF, *Draft country programme document, North Macedonia*. 9-12 February 2021. Available [here](#).

staff shortages as a very concrete example of the state's failure to put the interests of the child first, by not providing adequate resources to ensure the best possible care for children at risk and in need.

Similarly, CSWs which are, according to UNICEF, the nexus for social care provision in the community, are particularly underrepresented in rural areas where they are needed most, and many existing Centres and Social Workers are overwhelmed with more cases than they can possibly manage, as well as being overburdened with administrative work, which *"makes them less able to focus on preventive field work – work that may be the key to really support children and their families."*⁵⁸

Fostering was described as essential to the deinstitutionalisation process, and one goal was to secure foster care for every child, and increase awareness about the possibilities of fostering right across North Macedonia. At the launch of the 2023 campaign, *Every child needs a family*, the government committed *"to developing a network of foster caregivers and give them the full institutional support to be able to provide the child in need the best possible care."*⁵⁹ One conclusion, based on ERRC's interviews with social workers and foster families, is that in order to fully optimise the potential of foster care to render DI sustainable and 'complete', the authorities will have to commit much more than before, increase the 'meagre allowances' to foster parents, and invest in additional support and training for foster carers.

At-risk Romani children need targeted services due to high levels of exposure to abuse, exploitation, and separation from families

RECOMMENDATIONS

The following recommendations have been distilled from UNCRC and UNICEF reports and informed by insights from institutional representatives, experts, service providers, and civil society activists who were interviewed by the ERRC researcher.

State authorities should

- Invest in prevention and avoid deprivation of parental rights, expand coverage of family social services, including parental programs, to all geographical areas by allocating sufficient financial, technical and human resources.
- Introduce a gatekeeping system with regard to alternative care, with the aim to reduce the number of children in out-of-home placement, prevent unsuitable entries into the care system and ensure the suitability of placement.
- Ensure that poverty, disability or ethnic origin are not accepted as valid reasons for the removal of children from their biological families; that removal is always an option of last resort, solely guided by the best interest of the child; ensure quality standards with clear guidelines are in place for child protection services; and that all care professionals receive training on the rights of the child.
- Ensure cross-sectoral coordination is in place to provide support for young people exiting the care system; and that SWCs have sufficient resources to monitor and support these young people after they turn 18, so that they can manage all aspects of independent living.
- Continue to strengthen and expand the foster care system, ensure that it is adequately funded, and increase capacity building, pre-training and in-care service with the aim to accommodate children who have suffered trauma, or have special needs. Ensure that there are regular reviews of placements, and wherever it is desired by the child, to sustain regular contacts with her biological parents, with the aim of family re-integration.
- Strengthen the Social Work Centres by increasing the number of social workers and ensure their 24/7 availability, formalize coordination and collaboration with all relevant sectors the aim of ensuring unified approach to support service for children at risk; ensure that all Small Group Homes are fully-staffed, and that staff are properly paid and adequately trained to provide optimal care for children with special needs, and ensure that all child victims of violence have access to trauma-focussed therapy.
- Avoid any spending cutbacks that might adversely affect basic social service provision. In fact, there is an urgent need to increase spending to further strengthen delivery of such services at local level, and to prioritise addressing the needs of children at risk, *"in particular Roma children and children from families facing poverty, disability, social exclusion and stigma"*⁶⁰
- Launch public education campaigns promoting a fully inclusive, rights-based and equity-focused approach to child welfare as a benefit for the entire society; sensitise local communities around issues to do with community care and small group homes to mitigate hostility or resistance; and raise awareness around fostering to mobilise new foster families, and to extend the network of foster carers nationally.

58 UNICEF North Macedonia, *Social Support and Care Services*. Available [here](#).

59 UNICEF North Macedonia, Press Release, *UNICEF campaign "Every child needs a family" to mobilize new foster families*. 18 May 2023. Available [here](#).

60 UN Committee on the Rights of the Child, *Concluding observations on the combined third to sixth periodic reports of North Macedonia*, 23 September 2022. Available [here](#).



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