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**Committee on the Rights of the Child****Concluding observations on the combined third to sixth periodic reports of North Macedonia\*****I. Introduction**

1. The Committee considered the combined third to sixth periodic reports of North Macedonia (CRC/C/MKD/3-6) at its 2632th and 2633th meetings (see CRC/C/SR. 2632 and CRC/C/SR.2633), held on 29 and 30 August 2022, and adopted the present concluding observations at its 2668th meeting, held on 23 September 2022.

2. The Committee welcomes the submission of the combined third to sixth periodic reports of the State party and the written replies to the list of issues (CRC/C/MKD/RQ/3-6), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

**II. Follow-up measures taken and progress achieved by the State party**

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, in particular the enactment of a legal framework recognizing a considerable number of articles of the Convention, and the amendments made to the Ombudsman Act to bring it in line with the Paris Principles. It further welcomes the progress made by the State in relation to the National Juvenile Justice Strategy (2020-2026) and its Action Plan (2020-2023) and the implementation of a new disability assessment model.

4. The Committee also welcomes the ratification of the Convention on the Rights of Persons with Disabilities (December 2011).

**III. Main areas of concern and recommendations**

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: coordination (para. 10), non-discrimination (para. 18), violence against children (para. 25), children with disabilities (para. 30), health and health services (para. 32).

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\* Adopted by the Committee at its ninety-first session (29 August – 23 September 2022).

6. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

#### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

##### **Legislation**

7. While welcoming legal developments in several areas of the Convention, the Committee recommends that the State party:

- (a) Implement in full scale the legislation related to children's rights and ensure its dissemination to all those working for and with children;
- (b) Ensure the participation of children in the process of drafting and reviewing existing laws that relate to children's rights and that impacts on children;
- (c) Develop child-rights impact assessment procedures for all national and subnational legislation and policies relevant to children.

##### **Comprehensive policy and strategy**

8. The Committee is concerned that, after the expiration of the National Action Plan on the Rights of the Child (NAPC) in 2015, no new action plan or other strategic documents have been developed that specifically addresses children's rights, and recommends that the State party:

- (a) Intensify its efforts to develop a comprehensive policy and strategy on children covering all areas of the Convention;
- (b) Allocate adequate human, technical and financial resources for its implementation;
- (c) Ensure that children and organizations working on child rights are involved in the preparation, implementation and evaluation of policies, strategies and action plans.

##### **Coordination**

9. The Committee remains concerned about the absence of a national body responsible for coordinating all policies related to the implementation of the Convention and the Optional Protocols.

10. The Committee reiterates its previous recommendation to create a permanent body with sufficient authority, the necessary human, technical and financial resources and mandate to coordinate all activities and monitor the State party's compliance with its obligations under the Convention and its Optional Protocols.

##### **Allocation of resources**

11. While noting the creation of a special budget line for inclusive education in the budget of the Ministry of Education and Science and two financial programmes aimed at the education of Roma children, the Committee, with reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, recommends that the State party:

- (a) Increase budgetary allocations for the realization of children's rights, with particular attention to children in vulnerable situations;

(b) Identify areas of potential savings where funds could be transferred to budgets related to children and their families, paying particular attention to children in disadvantaged situations, including children with disabilities, children living in poverty, and Roma children;

(c) Strengthen measures to ensure that budgetary allocations to sectors supporting the realisation of children's rights are not affected by adverse economic conditions or emergencies and can mitigate the adverse impact of the Covid-19 pandemic;

(d) Implement mechanisms to monitor and evaluate the adequacy, efficacy and equitability of budget allocations for the implementation of the Convention;

(e) Involve child rights civil society organizations and children on budgetary decisions that affect them and duly take into account their opinions.

#### Data collection

12. Recalling its general comment No. 5 (2003), the Committee reiterates its previous recommendation and recommends that the State party:

(a) Establish a comprehensive and reliable data collection mechanism, with indicators on all rights guaranteed by the Convention and its Optional Protocols;

(b) Ensure that data can be disaggregated by age, sex, disability, geographic location, ethnic origin, nationality and socio-economic background to facilitate analysis of the situation of all children, and in particular younger children, children in alternative care, child victims of violence, abuse, neglect, including sexual exploitation and trafficking, children with disabilities, refugee and asylum-seeking children, children of unknown nationality, children in conflict with the law, working children, children in street situations and children in other situations of vulnerability;

(c) Facilitate intersectoral coordination among public institutions that collect information and develop a comparable and standardized evidence-based system to periodically monitor the achievements of the Sustainable Development Goals and the 2030 Agenda, and for the formulation, monitoring and evaluation of policies, programs and projects developed for the effective implementation of the Convention;

(d) Take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights entitled *Human Rights Indicators: A Guide to Measurement and Implementation* when defining, collecting and disseminating statistical information.

#### Independent monitoring

13. While welcoming the amendments to the Ombudsman Act to bring it in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and the establishment of special units to monitor the situation of children's rights, the Committee recalls its General Comment No. 2 (2002) on the role of independent national human rights institutions, and recommends that the State party:

(a) Strengthen the independence and mandate of the Ombudsman and strengthen the capacity, human and financial resources of the Ombudsman's Department for the Rights of the Child and Persons with Disabilities;

(b) Widely disseminate information about the role of the Ombudsman, especially among children, to increase awareness on the possibility of filing complaints with the Ombudsman's Office.

#### Dissemination, awareness and training

14. The Committee reiterates its previous recommendations and recommends that the State party:

(a) Strengthen its efforts to disseminate and raise awareness of the Convention and its Optional Protocols and increase awareness in all spheres of society, in particular in families and communities, that children are rights holders;

(b) Ensure systematic, compulsory and ongoing training on children's rights for professionals working for and with children.

#### Cooperation with civil society

15. While welcoming the adoption of the Government's Strategy for Civil Society Cooperation and Development (2018-2020), the Committee recommends that the State party renew this strategy and further intensifying cooperation with NGOs, including child human rights defenders, by ensuring that consultative processes are systematic, inclusive and that the contributions of civil society are increasingly taken into account.

### B. Definition of the child (art. 1)

16. The Committee recommends that the State party amend the Law on Family to remove all exceptions that allow marriage under the age of 18 years.

### C. General principles (arts. 2, 3, 6 and 12)

#### Non-discrimination

17. The Committee notes the establishment of a Commission for Prevention and Protection against Discrimination under the Law on Prevention and Protection of Persons against Discrimination. However, the Committee remains seriously concerned at the existence of stereotypes and social norms that perpetuate discrimination against children, in particular against Roma children, children with disabilities, gay, lesbian, bisexual, transgender and intersex children and on the basis of their social status.

18. The Committee urges the State party to:

(a) Ensure full enforcement of existing laws prohibiting discrimination, and strengthen public education campaigns to promote tolerance, coexistence, respect for diversity, dialogue and inclusion, and raise public awareness of the prohibition of discrimination;

(b) Strengthen the capacities and effectiveness of the Commission for Prevention and Protection against Discrimination and the agencies responsible for receiving complaints;

(c) Strengthen the implementation of the equality and non-discrimination strategy for the period 2022-2026, ensuring the participation of children and civil society in its design and monitoring of its effectiveness;

(d) Ensure the investigation of cases of discrimination against children.

#### Best interest of the child

19. The Committee reiterates its previous recommendation and recommends that the State party:

(a) Take all appropriate measures to ensure that the principle of the best interests of the child is integrated into laws, regulations and administrative and judicial procedures;

(b) Ensure that the best interests of the child are a primary consideration in all decisions relevant to children and establish common guidelines for its adequate application in all areas;

(c) Provide systematic training to all professionals with responsibility for determining the best interests of the child in each area covered by the Convention.

### **Respect for the views of the child**

20. While welcoming the adoption of the Law on Primary Education providing for the creation of the student parliament and the student ombudsman, recalling its General Comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

- (a) Undertake comprehensive legislative reform to guarantee children's right to be heard in all judicial and administrative proceedings affecting them;
- (b) Further promote existing spaces for participation and periodically evaluate the degree of acceptance of children's opinions in these spaces;
- (c) Promote the participation of children within the family, in childcare centres, schools and communities and encourage the implementation of mechanisms and models for children to participate in decision making in matters that concern them;
- (d) Adopt measures to combat prevailing prejudices that hinder children's participation in society;
- (e) Ensure that all relevant professionals, including judges, teachers and youth care professionals, working with and for children, systematically receive appropriate training on the right of the child to be heard and have his or her opinion taken into account in accordance with the child's age and maturity.

## **D. Civil rights and freedoms (arts. 7, 8 and 13-17)**

### **Birth registration and nationality**

21. While noting that birth registration is characterized as universal, the Committee recommends that the State party:

- (a) Ensure that registration of birth and issuing birth certificates are free of charge;
- (b) Ensure granting citizenship to children residing in the State party who would otherwise be stateless.

### **Preservation of identity**

22. The Committee is concerned about the lack of information on the elimination of the practice of secret adoption, and recommends that the State party enact legislation and other measures to ensure the preservation of and access to information on the origin of the adopted child and concerning the identity of the biological parents.

### **Access to appropriate information:**

23. The Committee recommends that the State party strengthen measures to ensure that children have access to appropriate information, protect them from information and material detrimental to their well-being and systematically monitor content in the audio-visual and print media with a view to removing harmful materials.

## **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

24. The Committee welcomes the measures taken to combat violence against children, including legal reforms that criminalise acts of physical, psychological and any other type of violence towards a child; the adoption of the new national action plan for preventing and addressing the abuse and neglect of children and the strategy for the prevention and protection of children from violence 2020–2025; the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention); and the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). However, the Committee is concerned about the:

- (a) Insufficient funds allocated for the implementation of the national action plan against violence;
- (b) Shortcomings of the local child protection infrastructure, including insufficient professionals working for and with children;
- (c) Lack of coordinated and clear protocols and cooperation for relevant institutions on the local level to prevent and respond to all forms of violence against children, including physical and sexual abuse in the home, with the aim of avoiding secondary victimization;
- (d) Lack of reporting of violence and the need for more social workers working with children at risk of violence at the local level as well as the need for more competence building;
- (e) Absence of information on the investigation and prosecution of cases of sexual abuse and exploitation concerning children;
- (f) Lack of specialized therapy and child-friendly rehabilitation for children who are victims of violence including sexual abuse and trafficking;
- (g) Insufficient educational and other appropriate support for parents to strengthen positive parenting skills for non-violent upbringing, in particular for parents of children in vulnerable situations;
- (h) Lack of social awareness on violence and passive acceptance of violence towards women and children due to traditional attitudes and beliefs regarding gender roles;
- (i) Insufficient systemic efforts aimed at addressing peer violence in schools, online bullying and violence against LGBT youth, children with disabilities and Roma children;
- (j) Lack of research and sufficient statistical information on the prevalence of violence against children including violence in the home, sexual abuse and exploitation and online violence.

**25. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) Ensure that the new national action plan for preventing and addressing the abuse and neglect of children and the strategy for the prevention and protection of children from violence (2020–2025) is fully implemented and that sufficient human and technical and financial resources are allocated;**
- (b) 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 of violence;**
- (c) Implement a mandatory reporting system and child-friendly and multiagency investigation and intervention in all cases of violence against children, including neglect and sexual abuse, in and outside the home, and in the digital environment;**
- (d) Ensure that child victims and witnesses of all forms of violence are interviewed without delay by trained forensic interviewers in child-friendly facilities avoiding re-victimisation by repetitive interviews;**
- (e) Introduce as a standard procedure the acceptance of audio-visual recordings of the child’s testimony as the main evidence followed by cross-examination without delay;**
- (f) Ensure that child victims of all forms of violence have access to trauma focussed therapy and other appropriate rehabilitation, including support to the non-offending family members;**

(g) Strengthen parenting training programmes, including the “Mellow Parenting” model, to promote non-violent upbringing strategies, including parents of children with disabilities, children of Roma parents and children with challenging behaviour;

(h) Strengthen educational campaigns with the involvement of children to enhance social awareness aiming to end violence of children, including sexual abuse and exploitation, online violence, peer violence and trafficking;

(i) Conduct comprehensive research on the prevalence of peer violence based on sexual orientation, gender identity and ethnic origin, especially regarding Roma children, and strengthen educational measures aimed at preventing such violence;

(j) Conduct a national survey on violence against children including collection of data on child sexual exploitation and abuse, and cases that have been reported to the authorities, as well as cases investigated and prosecuted and the sanctions that have been imposed on perpetrators.

#### Harmful practices

26. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:

(a) Implement targeted measures to eradicate child marriages and raise awareness on the negative impacts of such harmful traditional practices on children, particularly among Roma population;

(b) Do not subject intersex children to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination, and provide redress to victims of such treatment, including appropriate compensation, while providing adequate social, medical and psychological services, counselling and support to intersex children and their families.

#### **F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

##### Family environment

27. The Committee welcomes the social benefits reform, including child allowance, and the improvement to social support and care services. It recommends that the State party:

(a) Continue to strengthen basic social services at the local level and prioritise social service delivery according to the needs of children in vulnerable situations, in particular Roma children and children from families facing poverty, disability, social exclusion and stigma;

(b) Strengthen measures to enable working parents and carers to balance their professional and family responsibilities, such as parental leave and pre-school options;

(c) Take measures to increase fathers’ responsibility in the upbringing of children and amend the Family Law with the aim of introducing joint parenting after divorce;

(d) Ensure that proceedings on custody and other family matters are promptly resolved, including by strengthening professional counselling and mediation in divorce/separation conflict situations and by increasing the number of professionally trained staff and other support services;

(e) **Expand coverage of family social services, including parental programs, to all geographical areas by allocating sufficient financial, technical and human resources.**

#### **Children deprived of a family environment**

28. **The Committee notes with appreciation the deinstitutionalisation of children in alternative care, the closure of large-scale institutions and the corresponding creation of the foster care system. The Committee draws the attention of the State party to the UN Guidelines for Alternative Care (General Assembly resolution 64/142) and recommends that the State party:**

(a) **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;**

(b) **Avoid deprivation of parental rights and criminal prosecution of parents as a general measure and limit this to cases where it would serve the best interests of the child;**

(c) **Continue to prioritize reforms of the child protection system including by replacing small group homes in favour of family placement, in particular for young children and children with disabilities;**

(d) **Ensure that poverty, disability or ethnic origin are not accepted as valid reasons for out-of-home placement of children;**

(e) **Develop quality standards, including a monitoring system and clear guidelines for child protection services, and ensure that children in the care system are heard and all professionals receive training on children's rights;**

(f) **Continue to further strengthen the foster care system, including by providing capacity building, pre-training and in-care service with the aim to accommodate children with special needs;**

(g) **Introduce support services for children and caregivers in kinship care with the aim to increase stability and continuity of care;**

(h) **Ensure regular review of placements and sustain regular contacts between the child and biological parents during placement with the aim of family re-integration;**

(i) **Strengthen measures aimed at providing education, skills and opportunities for independent living for children leaving alternative care, including individual pathway plans to facilitate social reintegration to the greatest extent possible.**

### **G. Children with disabilities (art. 23)**

29. **The Committee welcomes the implementation of the new disability assessment model, with a human rights approach, based on the International Classification of Functioning, Disability and Health (ICF); the National Deinstitutionalization Strategy (2018-2027) and the adoption of the Law on Primary Education as a legal basis for the inclusion of students with disabilities in the general education system. However, the Committee is concerned about:**

(a) **Gaps in the collection of centrally disaggregated data on children with disabilities;**

(b) **Insufficient financial and human resources to move forward with the deinstitutionalization of children with disabilities, and their continuing long stay in the so-called Small Group Homes and Day Care Centres;**

(c) **Insufficient financial and human resources for the implementation of the Primary Education Law and the disability assessment model based on the ICF;**



- (d) The unavailability and inadequacy of schools, buildings, transports and spaces for children with disabilities, hindering their accessibility;
- (e) Lack of access to community services for children with disabilities;
- (f) The existence of prejudices that have an impact on the marginalization and discrimination of children with disabilities in accessing health, education, and protection services.

30. **Recalling its General Comment No. 9 (2006) and the joint CRC/CRPD Declaration on the Rights of Children with Disabilities, the Committee recommends that the State party:**

- (a) **Establish a system of regular and systematic collection of comprehensive and disaggregated data on children with disabilities, strengthen the early detection and intervention programs, and improve specialized health care and age-appropriate rehabilitation;**
- (b) **Increase financial and human resources to strengthen the deinstitutionalization process and increase family and community-based care, services and support;**
- (c) **Increase financial and human resources to strengthen the implementation of the Primary Education Law as a way to ensure the full inclusion of children with disabilities in the regular education system;**
- (d) **Promote the implementation of the ICF-based disability assessment model;**
- (e) **Promote universal design for all schools, buildings, services and public transportation to facilitate access for children with disabilities;**
- (f) **Implement measures to address multiple and intersectional discrimination against children with disabilities; and strengthen measures to promote the inclusion of children with disabilities in the community and ensure their equal access to all community services, particularly in cultural, sports and recreational activities.**

## **H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)-(3) and 33)**

### **Health and health services**

31. While the Committee takes note of the increase in prenatal and postnatal health care coverage, it is concerned about:

- (a) The steady decline in investment in the health sector and the decline in the quality of specialized maternal and child health services;
- (b) The increase in the perinatal mortality rate and in the mortality rates of children under 1 year of age and children under 5 years of age;
- (c) Decrease in the vaccination coverage of children;
- (d) Poor reporting of results on breastfeeding promotion and implementation of updated action plans;
- (e) Increase in overweight and obesity among school-age children.

32. **Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and target 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) **Allocate sufficient budgetary resources to the health sector to improve the quality and coverage of specialized maternal and child health services;**

(b) Identify the root causes of perinatal mortality rates and mortality rates of children under 1 year of age and children under 5 years of age in order to design evidence-based programs to reduce mortality from preventable causes;

(c) Increase vaccination coverage of children, raising awareness of the benefits of vaccines and provide adequate information to the anti-vaccine movements, mainly in social networks;

(d) Strengthen the activities of the Commission for the Promotion and Support of Breastfeeding and monitor the implementation of the International Code of Marketing of Breastmilk Substitutes;

(e) Undertake campaigns to reduce overweight and obesity in children by raising awareness of nutrition issues and proper eating practices.

#### Adolescent health

33. The Committee notes the State party's efforts to address sexual and reproductive health in a comprehensive manner, in cooperation with civil society and United Nations agencies. Recalling its General Comment No. 4 (2003) on adolescent health, its General Comment No. 20 (2016) on the realization of the rights of the child during adolescence and targets 3.5 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Promote greater access to comprehensive, age-appropriate, science-based education on sexual and reproductive health and rights, including information on the prevention of adolescent pregnancy and high-risk sexual behaviour, and on the issues of sexual orientation and gender identity, family planning and contraceptives, as well as on the prevention and treatment of sexually transmitted infections. In the implementation of these measures, special consideration should be given to children in vulnerable situations;

(b) Address the incidence of drug use by children and adolescents, *inter alia*, by providing them with information and education on the prevention of substance abuse, including tobacco and alcohol, and develop accessible and youth-friendly programs and measures for the treatment of addictions;

(c) Develop self-harm and suicide prevention programs;

(d) Guarantee adolescents' access to safe abortion in all circumstances and postabortion care services, ensuring that their views are always heard and duly taken into account in the decision-making process.

#### Standard of living

34. While the Committee notes the comprehensive reforms of its welfare and social protection systems and the adoption of a new Social Protection Act, it regrets the lack of updated information on measures taken to combat child poverty and strengthen social protection measures. Based on target 1.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Analyse the results of the comprehensive reform of its welfare and social protection system and the impact of the Social Protection Law and adopt new strategies to replace the outdated ones;

(b) Ensure an adequate and sustainable standard of living for all children within its territory, in particular for families belonging to ethnic minority groups and those living in rural areas;

(c) Strengthen measures to prevent and mitigate the effects of child poverty, particularly the effects due to the COVID-19 pandemic;

(d) Study the root causes of child poverty by, among other measures, collecting data disaggregated by age, sex, disability, geographic location, ethnic origin, nationality and socioeconomic background to facilitate the formulation, monitoring and evaluation of policies, programmes and projects to address child poverty.

## **I. Education, leisure and cultural activities (arts. 28-31)**

### **Education, aims of education and human rights education**

35. The Committee recommends that the State party:

- (a) Take the necessary measures to ensure free education, paying particular attention to children with disabilities and those from vulnerable backgrounds;
- (b) Put in place a strategy to enable children from marginalised communities and those subjected to exploitation and begging to continue their schooling;
- (c) Take the necessary measures to grant technical and financial support to poor families in order to stimulate enrolment in compulsory secondary education and ensure that vocational training is available and accessible;
- (d) Develop an information and awareness programme for parents on the importance of keeping their children in school in order to reduce the drop-out rates;
- (e) Develop a system of teacher training to enable teachers to respond to the needs and interests of teachers and students;
- (f) Create a mechanism to monitor progress in educational outcomes and to propose corrective action and guidance in case of disparities;
- (g) Take the necessary measures to make pre-primary education accessible to children from underprivileged backgrounds, and to those whose parents work, and provide child-care structures (kindergartens) that encourage children's cognitive, psycho-motor, social and emotional development;
- (h) Create the necessary infrastructure for children to enjoy the rights to leisure, cultural and recreational activities.

## **J. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)**

### **Asylum-seeking, refugee and migrant children**

36. Noting the adoption of the law on international and temporary protection (LITP) in 2018 and with reference to joint general comments No. 22 and No. 23 (2017) on the human rights of children in the context of international migration, the Committee recommends that the State party:

- (a) Speed up the process of family reunification for persons granted subsidiary protection;
- (b) Abolish the placement of unaccompanied children in reception centres, and ensure freedom of movement of asylum-seeking children;
- (c) Abolish the practice of detaining asylum-seeking children who are identified as witnesses in the process of criminal cases against smugglers;
- (d) Provide refugee and asylum-seeking children with necessary services and facilities such as education and health care.

### **Children in street situations**

37. With reference to its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:

- (a) Protect children in street situations from abuse and violence by police personnel and other community members;
- (b) Provide children in street situations with necessary services and facilities such as education, health care and other social services;

(c) Address the root causes of children in street situations and develop programmes that facilitate reunification of children with their families when possible, taking into account the best interests of the child.

#### **Child labour**

38. The Committee recommends that the State party address child labour, in particular in the informal sector including exploitation of children for begging, especially among children of the poorest quintile of the population, and establish training programmes for labour inspectors.

#### **Administration of child justice**

39. With reference to its general comment No. 24 (2019) on children's rights in the child justice system, the Committee recommends that the State party:

(a) Ensure the provision of quality, free legal aid to children alleged, accused of or recognized as having infringed criminal law at an early stage of the procedure and throughout the legal proceedings;

(b) Designate specialized judges for children and ensure that such specialized judges receive appropriate training on children's rights;

(c) Stop the practice of solitary confinement, and investigate cases of the use of physical force against detained children by the security staff;

(d) Regularly monitor and inspect the educational correctional facility in Tetovo and Ohrid prison to ensure the protection of detained children and the provision of necessary services to them.

#### **Child victims and witnesses of crimes**

40. The Committee recommends that the State party establish a mechanism for the protection of child victims and witnesses in legal proceedings and provide them with free legal aid, when appropriate.

### **K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention**

#### **Optional Protocol on the sale of children, child prostitution and child pornography**

41. The Committee recommends that the State party implement the Committee's previous recommendations on the initial report on the Optional Protocol, in particular:

(a) Explicitly define and criminalize all crimes referred to in articles 2 and 3 of the Optional Protocol, bearing in mind that trafficking is similar but not identical to the sale of children;

(b) Provide effective support to child victims of crimes under the Optional Protocol and ensure their rehabilitation and reintegration into the society;

(c) Remove the requirement of double criminality when exercising extra territorial jurisdiction over offences under the Optional Protocol;

(d) Adopt measures to register all identified cases of child prostitution, child pornography and/or sale of children and adopt intersectoral collaboration to identify these cases;

(e) Strengthen measures to provide effective support to child victims of commercial sexual exploitation and trafficking to ensure their rehabilitation, resocialization and reintegration.

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### **Optional Protocol on the involvement of children in armed conflict**

42. The Committee recommends that the State party implement the Committee's previous recommendations on the initial report on the Optional Protocol, in particular to:

- (a) Explicitly criminalize the recruitment of children by non-State armed groups;
- (b) Establish a system for the early identification of foreign children entering the State party who may have been involved in armed conflict abroad.

#### **L. Ratification of the Optional Protocol on a communications procedure**

43. The Committee recommends that the State party ratify the Optional Protocol to the Convention on a communications procedure, which was signed on 23 May 2012.

#### **M. Ratification of international human rights instruments**

44. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the following core human rights instruments to which it is not yet a party:

- (a) Inquiry procedure under the Optional Protocol to the Convention on the Rights of the Child;
- (b) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- (c) Convention for the Protection of All Persons from Enforced Disappearance.

#### **N. Cooperation with regional bodies**

45. The Committee recommends that the State party continue to cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other States, members of the Council of Europe.

## **IV. Implementation and reporting**

### **A. Follow-up and dissemination**

46. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined third to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. National mechanism for reporting and follow-up**

47. The Committee recommends that the State party strengthen its national mechanism for reporting and follow-up as a standing government structure that is mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by

dedicated staff, develop effective tools for tracking and collecting information and should have the capacity to consult systematically with the national human rights institution and civil society.

### C. Next report

48. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 16 September 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

49. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.

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