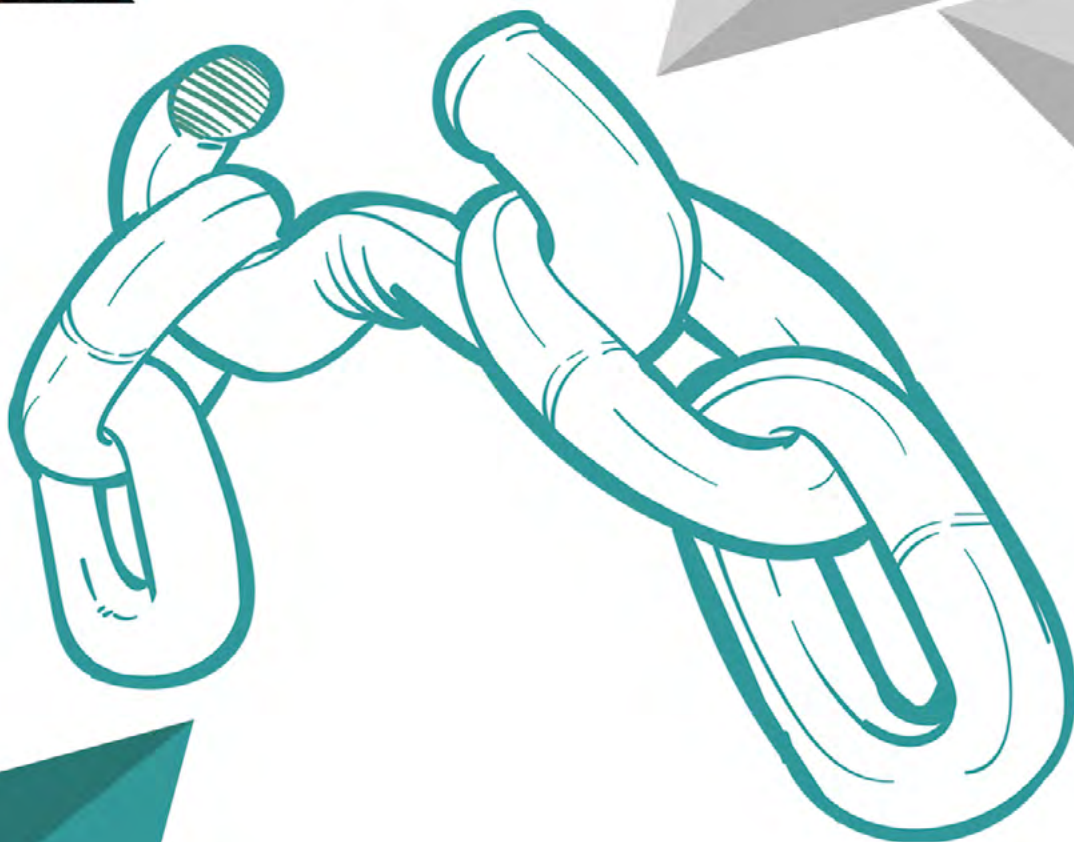




The project " Margina Obscura "  
is supported by European Union



# THE MISSING LINK

Demystification of the rights of  
persons with disability in the  
Republic of Macedonia with  
reference to the right to education

**Polio Plus**  
movement against disability





ПОЛИО ПЛУС  
движење против  
хендикеп



The publication **“Missing Link” - demystification of the rights of persons with disabilities in the Republic of Macedonia with reference to the right to education** is made within the project: Margina Obscura - the issue of disability in the accession to the European Union. The main goal of the project is to strengthen the influence of the civil sector through the United Voice of the Organizations of Persons with Disabilities, in creating public policies, decision-making and strengthening the civil and political dialogue.

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The content of this publication is the sole responsibility of Polio Plus and in no way reflects the views of the European Union

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## “MISSING LINK” - DEMYSTIFICATION OF THE RIGHTS OF PERSONS WITH DISABILITIES IN THE REPUBLIC OF MACEDONIA WITH REFERENCE TO THE RIGHT TO EDUCATION

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# INTRODUCTION



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# INTRODUCTION

Polio Plus - movement against disability, within the framework of the “Margina Obscura” project funded by the European Union, prepared the Analysis with title “Missing Link” - demystification of the rights of persons with disabilities in the Republic of Macedonia with reference to the right to education.

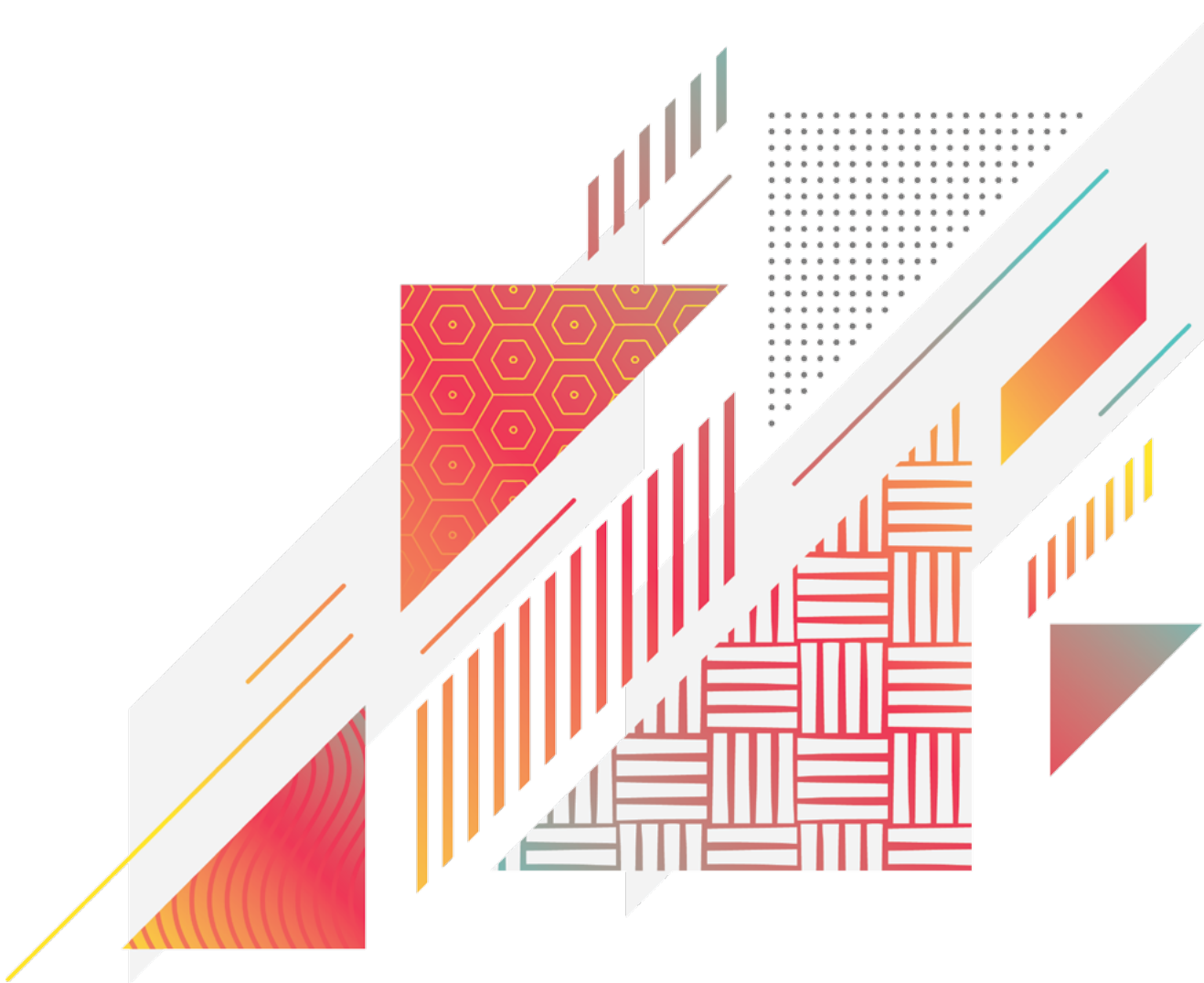
Recognition of the need for inclusion and involvement of persons with disabilities as a key to the exercise of the right to education has been particularly encouraged in the last 30 years and is incorporated in the Convention on the Rights of Persons with Disabilities (hereinafter: CRPD).

The purpose of the analysis is to gather information and to see what is the disability community view on the exercise of the right to education, whether they enjoy those rights on equal base with others, and interpret them in the light of the State’s obliga-

tions in implementation of the CRPD in the national context. For these reasons, it was a challenge to consider the situation of persons with disabilities in the exercising this right in general, to the specifics, regulated by the CRPD, both material and technical.

The publication was prepared by using combined methodology consisting of a review of literature and documents, analysis of 1000 questionnaires received from persons with disabilities and the parents of children with disabilities, focus groups and semi-structured interviews.

In addition, it clarifies the meaning, scope, and open questions and discussions for the CRPD and presents the views of the United Nations Organization Committee on the Rights of Persons with Disabilities (hereinafter: the UN) in order to draw conclusions and recommendations for the promotion of conditions.





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# INTRODUCTION

The analysis consists of four chapters:

**Chapter I** - provides overview of the right to education for persons with disability in line with international standards with emphasis on the CRPD, while explaining the process and the content, including the interpretation of the meaning and scope of this right.

**Chapter II** - Indicatively analyzes the situation at the national level from the aspect of the harmonization of the legislative framework with the CRPD, as well as the available data at the national and local level. It covers existing observations and reports in this area.

**Chapter III** - analyzes the situation on the ground on what is the disability community view on terms of exercising rights in the field of education.

**Chapter IV** - summarizes all the conclusions from the previous chapters and makes recommendations referring primarily to the steps that the state should undertake to harmonize legislation and change practices regarding the exercise of the right to education.

This publication should serve as tool for developing systemic programs, measures and policies for changing collective awareness on this issue, as well as contributing to the harmonization of the legislative framework with the CRPD.

# CHAPTER I

## INTERNATIONAL LEGAL STANDARDS

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## CHAPTER I

The International Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto were adopted by consensus of the General Assembly of the United Nations (hereinafter: UN) at its 61st meeting held on 13 December 2006 with Resolution A / RES / 61/106<sup>1</sup>. Currently, 162 countries have signed the Convention and 177 are its contracting parties, while 92 countries have signed the Optional Protocol and 92 have ratified it<sup>2</sup>.

CRPD is a response from the international community to the long history of discrimination, exclusion and dehumanization of persons with disability. It points out that the world's largest minority should enjoy the same rights and opportunities as everyone else. It covers many areas in which persons with dis-

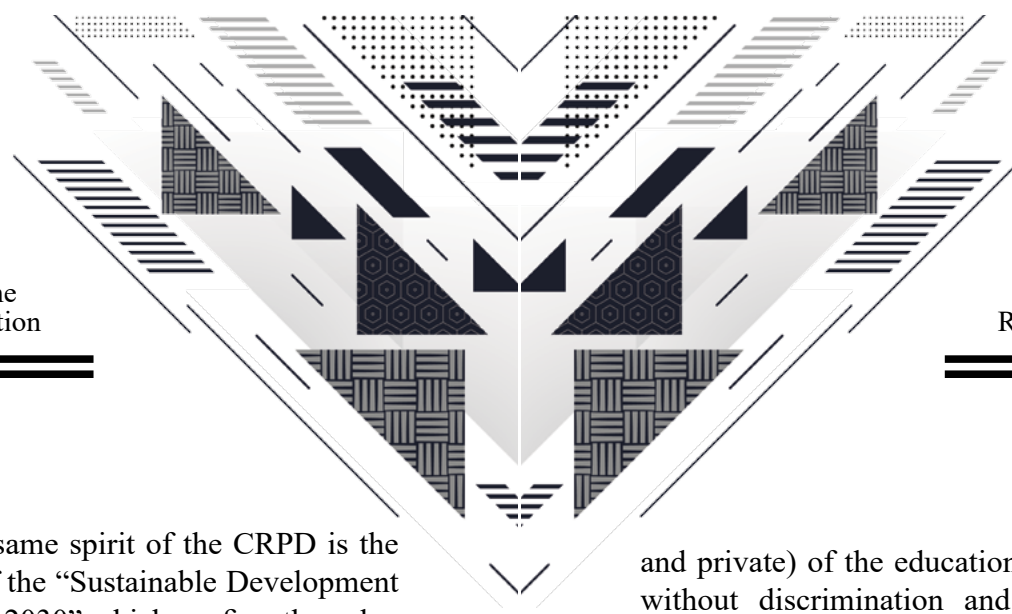
ability are discriminated against, including access to justice, participation in public and political life, education, employment, the prohibition of torture, exploitation and violence, as well as freedom of movement. By acceding to the ratification of the Optional Protocol, individuals or Member States that have filed lawsuits for their rights, and exhausted domestic remedies, may require a repeated response from an independent international body.

The Republic of Macedonia signed the CRPD on March 30, 2007, and ratified it on December 5, In addition, the country signed the Optional Protocol to the Convention on 29 July 2009 and ratified it on December 5, and the instruments of ratification were deposited in the United Nations on December 29, 2011<sup>3</sup>.

<sup>1</sup>[See: Resolution adopted by the UN General Assembly on 13 December 2006, A / RES / 61/106, 24 January 2007. Available at: [https://treaties.un.org/doc/source/docs/A\\_RES\\_61\\_106-E.pdf](https://treaties.un.org/doc/source/docs/A_RES_61_106-E.pdf)]

<sup>2</sup>[This situation is from November 2018. For more information on the status of signing and ratification of MIPLP Available at: [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-15&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en)]

<sup>3</sup>[See: Law on Ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities, Parliament of the Republic of Macedonia. 2011, page 19 Available at: <http://www.slvesnik.com.mk/Issues/ED1FF6FC1C8A1F4A8F36F48EFDE95E55.pdf>]



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Pursuant to Article 118 of the Constitution of the Republic of Macedonia<sup>4</sup>, the provisions of the CRPD are directly applicable in the legislation, including by the national courts, which, over time, should enable the creation of a consistent case law..

### 1.The United Nations Convention on the Rights of Persons with Disabilities

In international law, persons with disability are recognized as right holders, where states have obligation to recognize the right to education for persons with disabilities without discrimination and based on equal opportunities at all levels, including lifelong learning.

The CRPD is the first legally binding instrument that contains guidance and refers to the concept of quality, inclusive education for persons with disabilities.

The same spirit of the CRPD is the goal 4 of the “Sustainable Development Goals by 2030” which confirm the value of inclusive, quality and equitable education<sup>5</sup>.

Inclusive education is essential for achieving high quality education for all students, including students with disabilities. In addition, in the report of the Office of the UN High Commissioner for Human Rights<sup>6</sup>, it was pointed out “only inclusive education can provide quality education and social development for persons with disability and a guarantee of universality and non-discrimination in the right to education.”

Article 24 of the CRPD refers to the right to inclusive education of persons with disabilities at all levels (primary, secondary, and high, including lifelong learning) and in all spheres (state

<sup>4</sup>[See: Publication: “Constitution of the Republic of Macedonia, amendments to the Constitution I - XXXII”, PE Official Gazette of the Republic of Macedonia, page 55, edition 2011, Available at: [http://www.slvesnik.com.mk/content/Ustav % 20na% 20RM% 20-% 20Macedonian% 20-% 20FINAL% 202011.pdf](http://www.slvesnik.com.mk/content/Ustav%20na%20RM%20-%20Macedonian%20-%20FINAL%202011.pdf)]

<sup>5</sup>[See: “Sustainable Development Goals by 2030” - Goal 4, Available at: <https://www.un.org/sustainabledevelopment/education/>]

<sup>6</sup>[See: “A thematic study on the rights of people with disabilities in education. Report of the Office of the United Nations High Commissioner for Human Rights, A/ HRC / 25/29 and Corr.1, paragraphs 3 and 68. Available at: [https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions /Session25/Documents/A-HRC-25-29 \\_en.doc](https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-29_en.doc)]

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and private) of the educational process, without discrimination and based on equal opportunities.

In order to implement Article 24 (1) (a), education must be directed towards the full development of human potential and sense of dignity and self-esteem, and to lead to the enhancement of respect for human rights and the promotion of human diversity. The main elements of this article are the principle of non-discrimination and appropriate adjustment, with the aim of achieving educational environment that will guarantee the presence, participation and development of persons with disability<sup>7</sup>, where individual support and appropriate adjustment should be free and available at every level in the education system<sup>8</sup>.

In addition, the intention of Article 24 is to enable the right to choice for children

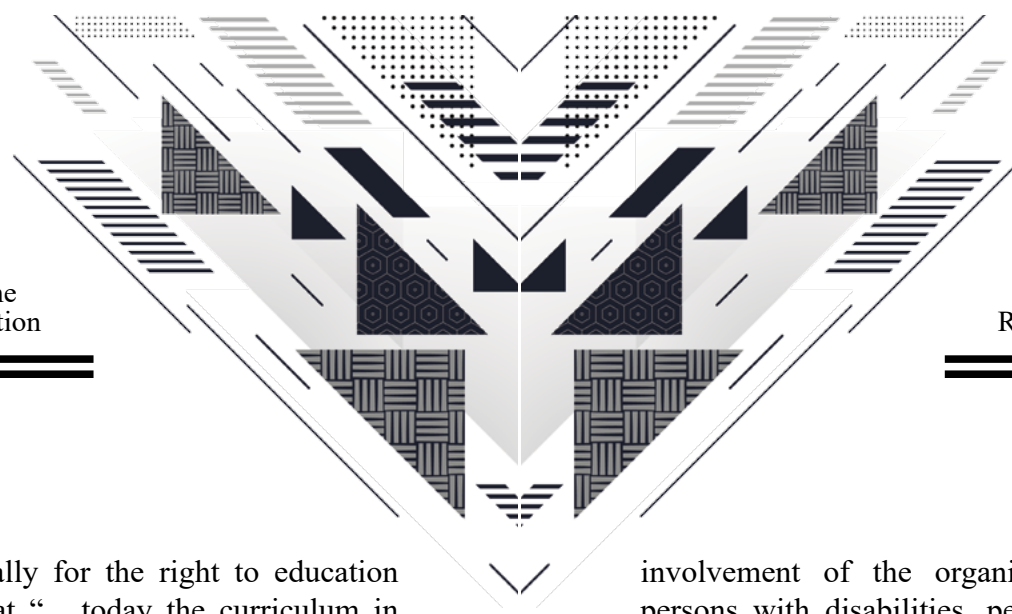
with disabilities freely choose in which institution they will receive their education, i.e. a full-time education system or special education. In this regard, the Committee on the Rights of Persons with Disabilities points out that: “putting students with disabilities in the regular departments without appropriate structural changes, for example, in the organization, curriculum and introduction of teaching and learning strategies is not inclusion. Integration automatically does not guarantee transition from segregation to inclusion”<sup>9</sup>.

Therefore, Article 24 (2) (c) indicates that states must provide reasonable adjustment that will enable students with disabilities to have access to education on equal base with others. Additionally, the educational process itself should be based and to use the alternative forms of communication such as Braille, sign

<sup>7</sup>[See: “General Comment number 13 (1999), Article 13: Right to education” - Article 13 (2) - Right to education, page 3 UN Committee on Economic Social and Cultural Rights. Available at: <http://www.refworld.org/docid/4538838c22.html>]

<sup>8</sup>[See: “General Comment No. 4 (2016), Article 24: Right to Inclusive Education” - paragraph 17 United Nations Committee on the Rights of Persons with Disabilities. Available at: <http://www.refworld.org/docid/57c977e34.html>]

<sup>9</sup>[ [ See: “General Comment No. 4 (2016), Article 24: Right to Inclusive Education” - paragraph 11 UN Committee on the Rights of Persons with Disabilities. Available at: <http://www.refworld.org/docid/57c977e34.html>]->]



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language, alternative writing skills, and the like, and means that maximize their academic and social development. Therefore, in the case of people with hearing and speech impairment, the sign language should be recognized as a language to which children should have access and whose importance should be recognized in the social environment<sup>10</sup>.

The right to education for persons with disabilities will not be fully implemented if there is no obligation for States to take measures to employ trained staff, including disabled teachers who are qualified for sign language and / or Braille Letter and provide training for teaching staff that work at all level of education. This training would cover raising awareness of the issue of disability and the use of alternative ways, devices and communication formats, educational materials and techniques for supporting persons with disability (Article 24 (4)).

Especially for the right to education states that "... today the curriculum in many countries is recognized that persons with disabilities are best educated in the regular education system. ... States should ensure that teaching staff are trained to provide education for children with disabilities within regular schools and the availability of necessary equipment and support in order for persons with disabilities to reach the same level of education as others." The policies governing this institute must be adopted at national, local and at all levels in the educational infrastructure. The use of the excuses that the state has "lack of resources and the existence of an economic financial crisis" to justify "the failure to take action" constitutes a violation of Article 24<sup>11</sup>.

In order to realize the rights of persons with disability, as well as effective implementation of the CRPD, the active

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involvement of the organizations of persons with disabilities, persons with disability, children with disabilities is of great importance, while taking care of the representation of all forms of disability, such as and the gender balance.

In the realization of the right to education of children with disabilities, children with disabilities living in the institutions<sup>12</sup> should not be excluded. It should be concluded, in the direction of the Committee's position that inclusive education is incompatible with institutionalization<sup>13</sup>.

## 2. ECHR, Protocol 12 to the ECHR and the European Social Charter

At the regional level, the European Convention on Human Rights and Fundamental Freedoms presents legally binding document for all European

countries that have ratified and agreed to provide conditions for the realization of fundamental human rights within its national system. They are obliged to implement the CRPD so that the domestic law will proclaim the rights guaranteed by it and the additional protocols thereto and provide legal protection for each individual at the national level.

The European Social Charter, which complements the ECHR in the field of economic and social rights, has been adopted within the Council of Europe. Taking into account court cases (the Mental Disability Advocacy Center v. Bulgaria case and the Autism-Europe case), the protection offered by the revised Charter, in particular in the area of non-discrimination, through the possibility of lodging collective complaints is important link in the fight against institutional forms of discrimination,

<sup>10</sup>[See: "General Comment No. 5 (1994), Persons with Disabilities, paragraph 35 page 8-9 UN Committee on Economic Social and Cultural Rights. Available at: <http://www.refworld.org/docid/4538838f0.html>]

<sup>11</sup>[ [ See: "General Comment No. 4 (2016), Article 24: Right to Inclusive Education" - paragraph 28, United Nations Committee on the Rights of Persons with Disabilities. Available at: <http://www.refworld.org/docid/57c977e34.html>]]

<sup>12</sup>[See: Poposka Zh. Publication "Interpreter of the International Convention on the Rights of Persons with Disabilities of the United Nations", page 69 - 70, 2018 Polio Plus, Available at: <http://polioplus.org.mk/margina/dokumenti/Tolkuvac-B5-mk.pdf>]

<sup>13</sup>[See: "General Comment No. 4 (2016), Article 24: Right to Inclusive Education" - paragraph 66, United Nations Committee on the Rights of Persons with Disabilities. Available at: <http://www.refworld.org/docid/57c977e34.html>]



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referring to the leading values, such as human dignity and social inclusion of persons with disability<sup>14</sup>.

### 3. Concluding Observations of the Initial Report of the Republic of Macedonia by the Committee on the Rights of Persons with Disabilities

In 2018, at the 20th session of the UN, the Committee on the Rights of Persons with Disabilities was evaluated the implementation of the Convention on the Rights of Persons with Disabilities by the Republic of Macedonia. On the two-day session, civil and political rights, as well as economic and social rights for citizens with disabilities, were assessed in accordance with the Convention on the Rights of Persons with Disabilities. In the Concluding Observations of the Initial Report of the Republic of Mace-

donia<sup>15</sup>, the Committee on the Rights of Persons with Disabilities pointed out several recommendations for exercising the right to education (Article 24) of the CPC. In addition to the recommendations and remarks on article 24, in this section we will look at some of the remarks and recommendations of the Committee that are closely related to the realization of the right to education.

<sup>14</sup>[PhD. Poposka, PhD. Jovevski L. Publication: “Anti-Discrimination Law”, OSCE in Skopje, page 57.]

<sup>15</sup>[ See: Concluding observations of the Initial Report of the Republic of Macedonia by the Committee on the Rights of Persons with Disabilities, adopted by the Committee at the 20th session (27 August - 21 September 2018). UN Committee on the Rights of Persons with Disabilities. Available at: [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/MKD/CO/1&Lang=En](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/MKD/CO/1&Lang=En)]

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## Education (Article 24)

Notes	Recommendations
<p>The Committee is concerned that the Law on Protection of Children and the Law on Primary Education still allow segregation of students with disabilities and there are still segregated educational backgrounds, especially for students with intellectual disability.</p> <p>Furthermore, the Committee is concerned that there is no comprehensive strategy for an inclusive education system with fixed deadlines and results, as well as appropriate financial, human and technical resources, especially for students with intellectual disabilities. (paragraph 39)</p>	<p>In accordance with the general comment of the Committee no. 4 (from 2016) on the right to inclusive education and objectives 4.5 and 4.8 of the Sustainable Development Goals, the Committee recommends to the State (paragraph 40):</p> <p>(a) Revise the Law on Child Protection and the Law on Primary Education, as they would promote inclusive education and will include the basis of disability in the safeguard clause for protection against discrimination, including the prohibition of refusing reasonable accommodation, such as form of disability discrimination;</p> <p>(b) adopt a transition plan in order to ensure inclusive education for persons with disabilities at all levels in the education system, including in higher education institutions;</p> <p>(c) Provide adequate support, resources and qualified training for teachers and support staff in order to accelerate inclusion, especially for students with intellectual and psychosocial disabilities, as well as girls with disabilities;</p> <p>(d) Ensure access to educational facilities, including universities;</p> <p>(e) Explicitly and immediately prohibit the exclusion of students with disabilities from regular schools based on their disability.</p>



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### General principles and obligations (Articles 1-4)

#### Notes

The Committee is concerned about (paragraph 5):

- (a) The lack of harmonization of national legislation, policies and programs with the Convention and the prevalence of the medical approach to the issue of disability;
- (b) Various estimates for determining the disability situation and existing definitions in legislation that are incompatible with human rights approach to the issue of disability;
- (c) There is a lack and vague plans, either a period or

#### Recommendations

**The Committee recommends the state (paragraph 6):**

- (a) Full revision of the existing legislation and policies and their full harmonization with the Convention is required;
- (b) It is necessary to remove offensive terms that address the issue of disability and ensure respect for the dignity of all persons with disabilities;
- (c) Provide a method for assessing the disability situation that fully integrates the human rights-based approach through:
  - Inclusion of organizations of persons with disabilities in creating the assessment and assessment of the categorization of persons with disabilities;
  - Inclusion and engagement of persons with disabilities in the creation of the information on the basis out of which the estimates were made;
  - Eliminating multiple assessments and categorizations in order to remove unnecessary barriers;
  - The information on the requirements and the requirements for assessment should be in accessible and accessible forms

budgetary funds in order to ensure the progressive realization of the rights of persons with disabilities in consultation with organizations of people with disabilities.

- To give frequent revisions to the methods for assessing and evaluating the categorization of persons with disabilities.

(d) Ensure and ensure that organizations of persons with disabilities are actively involved in the creation, assessment of laws, policies, action plans, time frames and budgets and that their opinions will be taken into account before the adoption of decisions relating to them.

### Equality and non-discrimination (Article 5)

#### Notes

The Committee (paragraph 7) is concerned that:

- (a) Article 9 of the Constitution of the State does not contain the grounds of disability discrimination;
- (b) There are no penalties in national laws for public and private institutions or individuals who discriminate against persons with disabilities and

#### Recommendations

**The Committee (paragraph 8) and recommends to the State:**

- (a) Revise all legislation by including the basis of disability in protection against discrimination, including multiple-discrimination protection and intersectional discrimination;
- (b) Introduction of measures / remedies in order to provide damages, including compensation for persons who have faced discrimination on the basis of disability and the introduction of measures to sanction the culprits;



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there are no effective remedies for discrimination against discrimination on grounds of disability;

(c) There are no regular trainings on non-discrimination and reasonable accommodation for public and private stakeholders.

- (c) Introducing regular training for public and private stakeholders for non-discrimination and reasonable accommodation for persons with disabilities based on human rights, and not for the traditional medical and merciful approach.

disabilities, as well as the continued approach to isolation and institutionalization;

(e) There is a lack of early intervention and policies / provisions for independent living services;

(f) There is a lack of mechanisms to ensure participation of children with disabilities in decision-making processes that affect their lives.

In particular, there is a lack of mechanisms to ensure and take into account the opinion of children with disabilities on issues related to them and their families, as well as their participation in all protection mechanisms.

- (e) Adopt measures to overcome the stigma and the fight against discrimination, as well as the stereotypes against children with disabilities;
- (f) Provide continuous support for the child from early intervention to independent living;
- (g) Promote comprehensive strategies and mechanisms for the full participation of children with disabilities in consultations, decision-making and policy-making through representative organizations in order to promote an appropriate choice of services that best suit the needs of the child, taking into account the abilities of the developing child.

### Children with disabilities (Article 7)

#### Notes

The Committee (paragraph 15) is concerned about:

(a) Lack of specific legislation on the rights of children with disabilities;

(d) The existence and prevalence of stigmatization, discrimination and stereotypes towards children with

#### Recommendations

The Committee (paragraph 16) and recommends to the State:

- (a) Adopt special legislation regarding the rights of children with disabilities;
- (d) To master the rights of children with disabilities, including the principle of best interest for the child in all national policies, plans, programs and across all comprehensive legal frameworks relating to children and young people in general;



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### Accessibility (Article 9)

#### Notes

The Committee notes that the country's legislation provides systematic and comprehensive approach to the right to physical access. However, the Committee is concerned (paragraph 19) that:

(a) There are no specific and effective measures and sanctions for the implementation of legislation that provides access to the physical environment and information, communication and technology systems;

(b) Access to facilities, transport services and public institutions and other services outside the capital is insufficient; there is a

#### Recommendations

With regard to Article 9 of the Convention and the general comment No. 2 (2014), the Committee recommends that the State party, in its efforts to achieve objective 9 and objectives 11.2 and 11.17 of the Sustainable Development Goals (paragraph 20):

- (a) Review the legislation in order to ensure the compulsory application of accessibility standards in all areas, in particular accessibility to facilities, transport services, other facilities and services open to the public, as well as information and communication technologies and systems, and imposed strict sanctions for those who will not apply them;
- (b) Introduce accessibility standards as a condition in all public procurement of services and facilities and monitor implementation;
- (c) Ensure that access to buildings, transport, information and communication technologies and systems, and facilities and

lack of application of all international accessibility standards at the international airport;

(c) The level of cooperation between government institutions and agencies with organizations of persons with disabilities in terms of implementation and monitoring of accessibility standards is minimal;

(d) Legislation does not provide a systematic or full access to the exercise of the right to access to information and communications, including information and communication technologies and systems.

services to the public and public institutions and services are available throughout the territory of the State party;

- (d) Accelerate the adoption of a comprehensive national action plan for the implementation of accessibility standards in close consultation with organizations of people with disabilities, with a clearly defined period, monitoring and evaluation criteria.



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### Freedom of expression and opinion, and access to information (Article 21)

#### Notes

The Committee is concerned about the very limited scope of public information available to people with disabilities, including the interpretation of sign language, and tactile formats such as Braille, read-only formats and other alternative forms of communication in public and private media.

The Committee is also concerned about the lack of standardization, recognition and enforcement of the sign language as an official language (paragraph 38).

#### Recommendations

The Committee is concerned about the very limited scope of public information available to people with disabilities, including the interpretation of sign language, and tactile formats such as Braille, read-only formats and other alternative forms of communication in public and private media.

- The Committee is also concerned about the lack of standardization, recognition and enforcement of the sign language as an official language (paragraph 38). The Committee (paragraph 39) and recommends to the State:
- (a) To enact a law on the right to access information and to eliminate any restrictions that impede the enjoyment of the right of persons with disabilities to seek, receive and impart information and ideas on an equal base with others, as well as to ensure and ensure that websites are accessible to people with disabilities, especially for those who are blind or visually impaired;
- (b) Adopt concrete legal measures and implementation measures in order to standardize, recognize and use the sign language as the official language to be taught in schools, to establish a

group of qualified sign language translators and teachers with tactile recognition skills, Braille and text-reading skills in an easy-to-read format, and to ensure and ensure that television stations make news and programs available in accessible formats, especially for those who are deaf, deaf - blind persons or hard of hearing.

# CHAPTER II

## NATIONAL LEGAL FRAMEWORK



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## CHAPTER II

### 1. National legislation and its compliance with the CRPD

National legislation covers several regulations that relate directly or indirectly to persons with disabilities in the field of education.

Legislation in the field of education from the aspect of protection from discrimination for the disabled community does not provide a systematic approach to the realization of the right to education without discrimination and on an equal base with others. The Law on Primary Education<sup>16</sup> (hereinafter: LPE), the Law on Secondary Education<sup>17</sup> (hereinafter: LSE), the Law on Higher Education<sup>19</sup> (hereinafter: LHE) contain clauses for protection against

discrimination, but the same grounds for disability are not covered. The legal framework does not regulate the right to a reasonable adjustment and individual support, as well as communication favors, which leave great deal of space for the exclusion of children with disabilities from the regular education system, both in state and private schools.

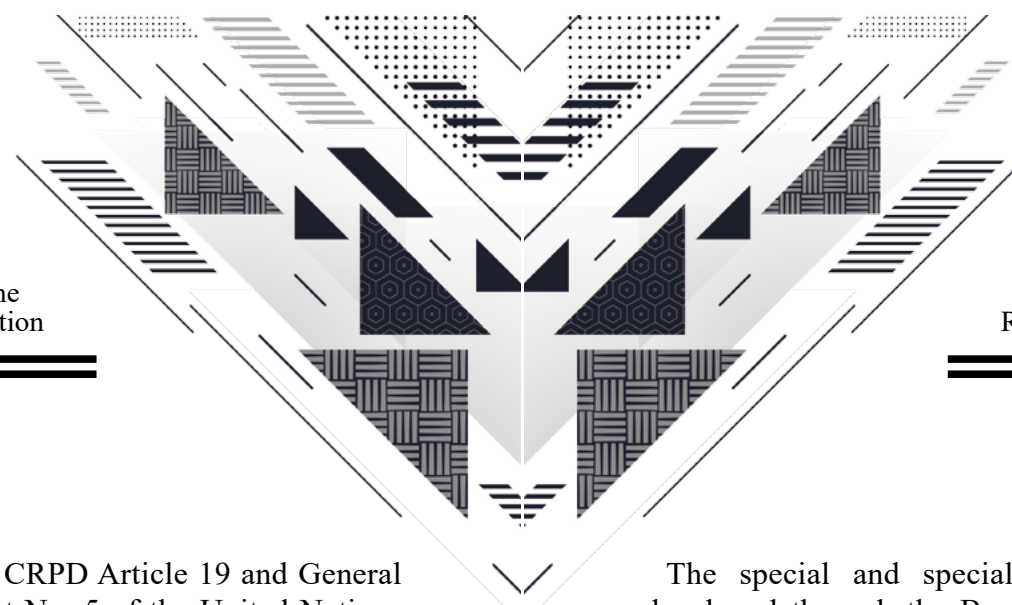
The new proposal for the LPE<sup>18</sup> has included the basis of disability in protection against discrimination by classifying students with disabilities “as students with different functionality”. With this classification, the new proposal - LPE points out to the conditioned inclusion of the students with disabilities depending on the level of their functionality and starts the medical approach to the issue of disability.

<sup>16</sup>[Law on Primary Education, Consolidated Text (Official Gazette of the Republic of Macedonia No. 103/2008, 33/2010, 116/2010, 156/2010, 18/2011, 42/2011, 51/2011, 6/2012, 100/201, 24/2013, 41/2014, 116/2014, 135/2014, 10/2015, 98/2015, 145/2015, 30/2016, 127/2016 and 67/2017).MoES, Available on: <http://www.mon.gov.mk>]

<sup>17</sup>[Law on Secondary Education, Consolidated text (Official Gazette of the Republic of Macedonia No. 44/1995, 24/1996, 34/1996, 35/1997, 82/1999, 29/2002, 40/2003, 42/2003, 67/2004, 55/2005, 113/2005, 35/2006, 30/2007, 49/2007, 81/2008, 92/2008, 33/2010, 116/2010, 156/2010, 18/2011, 42 / 2011, 51/2011, 6/2012, 100/2012, 24/2013, 41/2014, 116/2014, 135/2014, 10/2015, 98/2015, 145/2015, 30/2016, 127/2016 and 67/2017), MoES, Available at: <http://www.mon.gov.mk>]

<sup>18</sup>[Draft Law on Primary Education, MoES 2018, Available at: <http://www.mon.gov.mk>]

<sup>19</sup>[Law on Higher Education, MoES. Available at: <http://www.mon.gov.mk>]



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Taking into account the CRPD (Article 24-b), the legal framework in the field of education, including the new LPE proposal, does not allow persons with disabilities to have access to inclusive, quality and free primary and secondary education. In that sense, the education system does not fully cover and does not regulate the issue of accessibility, accessibility, acceptability and adaptability, with the students with disabilities being completely disadvantaged compared to other students without disabilities.

In terms of support for students with disabilities, the new LPE, in addition to the various measures (services and centers) that should provide support for students with disabilities, do not have any goal and are not aimed at providing effective access to education that will contribute to achieve full possible social integration and individual development of students with disabilities.

In it is completely lacking individual support and reasonable adjustment. Additionally, the proposed system shows the lack of support services, so the personal assistance service with the educational assistants is mixed. The proposed services are completely incompatible

with the CRPD Article 19 and General Comment No. 5 of the United Nations Committee on the Rights of Persons with Disabilities for Article 19.

Despite the efforts for inclusive education, the existing system subtly promotes the segregation and inclusion of students with disabilities in special schools or special classes in regular schools. In addition to segregation, it focuses on factual or perceived disability, "impairment", and limiting opportunities based on pre-defined and negative assumptions about the potential of persons with disability. Such a medical defectological approach is fully reflected in educational curricula.

This system does not allow persons with disabilities to have equal, quality education on the same basis with others and are forced to be educated about jobs that are far from reaching their potential and talent. For example, the LHE states "Secondary education for students with special educational needs forms students according to complicated programs for appropriate occupations, that is, educational profiles or work qualifications."

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The special and special programs developed through the Bureau for the Development of Education (hereinafter: the BDE) are completely reduced to the medical approach and based on the "impairments" or "functionality" of persons with disability. The overall educational curriculum does not offer flexible curriculum, teaching and learning methods tailored to the different strengths, requirements and learning styles. Therefore, the staff from the educational faculties is not educated about the issue of disability from the aspect of human rights, nor is it educated for work with students with disabilities.

Despite the lack of a teacher education system, an additional paradox is the set scores, where inclusion is evaluated with points. According to the Law on Educational Inspection<sup>20</sup>, the points are based on whether the teacher realized classes in a regular class with students with "special educational needs" (8 points) or works partially (4 points).

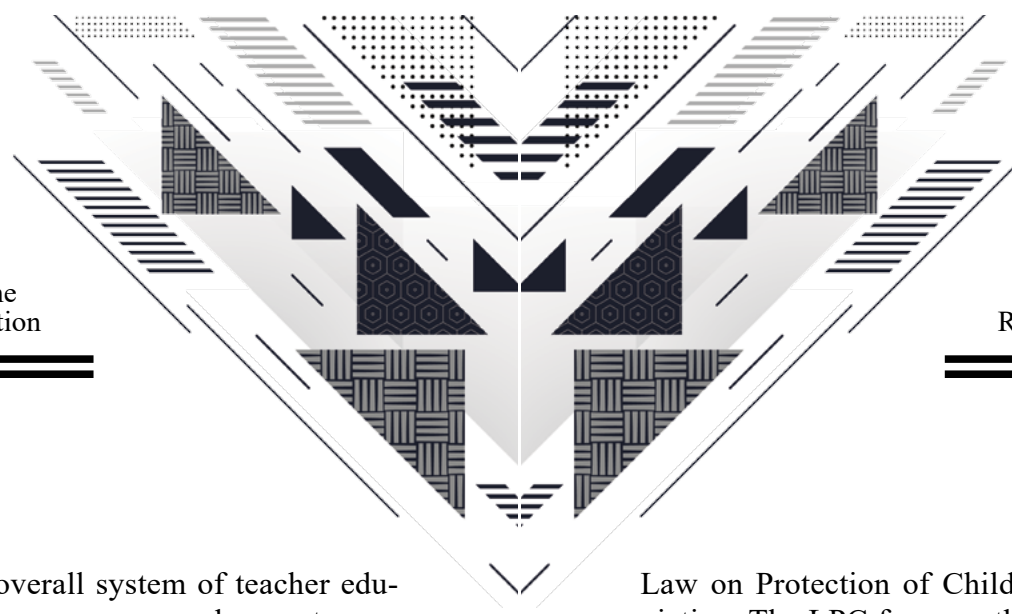
Educational programs do not contain provisions that would promote

and apply different forms, as well as provisions where there is an obligation that they should be in accessible formats. This practice is also reflected in the Law on Textbooks for Primary and Secondary Education<sup>21</sup>. The Law does not specify that textbooks should be made in format that will be accessible to all students regardless of the type of disability, including electronic textbooks in an accessible format, Braille textbooks, easily readable textbooks and audio formats, and use in the languages, taking into account the ethnic representation of the student with a disability.

Inclusive educational curriculum must aim at promoting mutual respect and value for all people, including those with disabilities, and to build educational environments in which access to learning is the culture of an educational institution. These features are completely omitted from the existing educational plan and program for persons with disability.

<sup>20</sup>[School Quality Indicators, MoES, Available at: <http://mirceacev-lisicani.weebly.com/uploads/2/5/2/8/25280659/indikator.pdf>]

<sup>21</sup>[Law on Textbooks for Primary and Secondary Education (Official Gazette of the Republic of Macedonia No. 98/2008, 99/2009, 83/2010, 36/2011, 135/2011, 46/2012, 24/2013, 120/2013, 29/2014, 146/2015, 217/2015 and 30/2016)]



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The Law on Teachers<sup>22</sup> (Article 18) in the area of basic professional competencies of teachers states, “Social and educational inclusion is one of the areas in which teachers should have professional values, professional knowledge and understanding, as well as professional skills and skills”, without taking into account the provisions of the CRPD and the obligations of the teachers.

Training of teaching staff on the issue of disability is carried out mostly through projects and support from international institutions and foundations without any long-term strategy by the Ministry of Education and Science (hereinafter: MES) and the BDE for the active inclusion of children and students with disabilities in the regular education system on equal base with others<sup>23</sup>.

In the overall system of teacher education, there are no employment measures for the administration, teaching and non-teaching staff with the skills to work effectively in inclusive educational environments, qualified in sign language and / or Braille, orientation and mobility.

In this line are the provisions of the Law on Vocational Education and Training, the Law on Adult Education and the Law on the Student Standard<sup>24</sup>. In addition to the non-existence of the clause on protection against discrimination, they do not include the principles of accessibility, equity and appropriate adaptation.

Of all the aforementioned legal provisions regarding protection against discrimination, the Law on Child Protection (hereinafter referred to as the

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Law on Protection of Children) is deviating. The LPC foresees the basis for the protection of children with “special educational needs” from discrimination (Article 12 of the LPC). Apart from protection against discrimination, the law does not provide for the obligation to provide a reasonable adjustment, as well as provisions for initiating measures for inclusion of children with disabilities in pre-school institutions regardless of their disability on equal base with other children, or measures that would it has taken away the animosity towards the involvement of children with disabilities in kindergartens by the general public and the staff in the institutions<sup>25</sup>. In addition, the programs for education and education of children with disabilities that would be prepared by the BDE in this area have not yet been adopted by the MoES.

On the other hand, the Law on Prevention and Protection against Discrimination<sup>26</sup> (hereinafter: LPPD) has provided the basis for disability in protection against discrimination and in parallel provides for provisions that ensure that access to non-availability and appropriate adaptation is considered discrimination in the field of education.

The entire legal framework in the field of education does not contain any provisions that would identify the material, physical, linguistic, communication, financial, legal and other barriers to education at all levels, thus enabling disabled persons with equal opportunities for education equal basis with others.

In parallel, the system is not liable for the creation of policies and budgets for educational institutions, and they

<sup>22</sup>[Law on Teachers in Primary and Secondary Schools (“Official Gazette of the Republic of Macedonia” No. 10/2015, 145/2015, 30/2016, 127/2016 and 67/2017)]

<sup>23</sup>[See: Report of Disabled People’s Organizations and Civil Society Organizations on the Implementation of the CPI, submitted for consideration at the 20th Session of the UN Committee on the Rights of Persons with Disabilities, 2018 Available at: [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCRPD%2fCSS%2fMKD%2f31979&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCRPD%2fCSS%2fMKD%2f31979&Lang=en)]

<sup>24</sup>[Law on the Student Standard (“Official Gazette of the Republic of Macedonia” No. 52/2005, 117/2008, 17/2011, 135/2011, 15/2013, 41/2014, 146/2015 and 30/2016)]

<sup>25</sup>[See at: Najcevska M., Kadriu B., Jandrieska Jovanova K., Chavkovska B., Mora Bajrami V., Invisible to the Society, Assessment of the readiness for ratification of the Convention on the Rights of Persons with Disabilities, Foundation Open Society - Macedonia, Skopje, 2011. Available at: <http://soros.org.mk/dokumenti/FOOM-Nevodlivi-za-opstestvoto-MK.pdf>]

<sup>26</sup>[Law on Prevention and Protection against Discrimination, Official Gazette of the Republic of Macedonia, No. 50/2010, from April 13, 2010. Available at: <http://www.mtsp.gov.mk> and <http://www.slvesnik.com.mk>.]



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should be seen from the aspect of the disability issue, as well as the obligation for mandatory inclusion of persons with disabilities, including children with disabilities in all processes in the educational system.

The categorization of children and youth with disabilities is major problem in providing inclusive education. The categorization of children with disabilities is based on the medical approach, with the approach to human rights completely omitted. This approach limits education institutions to take more serious steps in exercising the right to education for persons with disabilities and to ensure their inclusion in the regular education system on equal base with other children.

The lack of qualified and dedicated school staff, the lack of adequate access infrastructure, as well as the lack of properly set and developed support services, as well as the lack of understanding and capacity remain significant obstacles to inclusive education.

## 2. Statistics and data at the national level

The education system of the Republic of Macedonia is organized through pre-school, primary, secondary and higher education.

Special education for children with disabilities is practice in the country regardless of the fact that Article 24 of the CRPD imposes on the state duty to provide and guarantee access for children with disabilities to “inclusive, quality and free primary education and secondary education on equal base with others in the communities in which they live.”

Primary education lasts nine years. It is compulsory and free for all students (aged 6-14 years). There are 1,100 primary schools in the country (including branch schools). The total number of students in 2016/2017 was 190,225 students in elementary education<sup>27</sup>.

<sup>27</sup>[Primary and Secondary Schools at the end of the year 2016/2017 Statistical overview number 2.4.18.05/896, State Statistical Office, 2018, page 10. Available at <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>]

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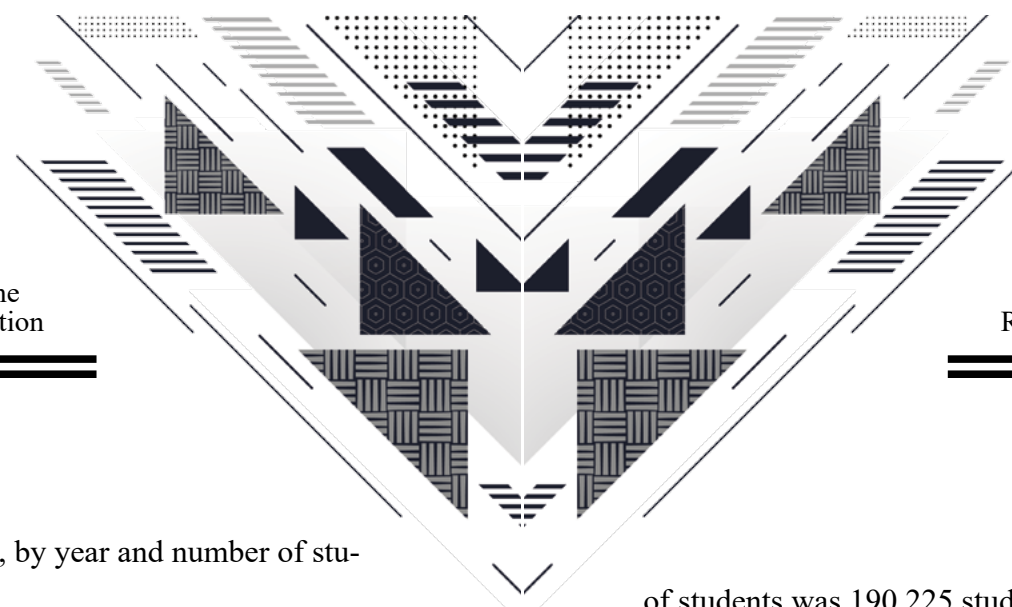
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According to the data from the State Statistical Office (hereinafter: SSO), in the statistical survey for primary and secondary schools, 45 special primary schools were registered, out of which 40 are special schools for children “impairments in the mental development”, 1 elementary school for children with im-

paired hearing, 1 elementary school for children with impaired vision, 1 elementary school for children with impaired hearing and speech, 1 elementary school for physically disabled children and 1 elementary school for educated and neglected children.

**Table 1.** Overview of the regular primary schools, by years and number of students

Regular primary schools and number of students	Schools	Classes	Students			
			Total	Female students	Pupils who have finished school	
					Total	Female students
2012/2013	990	10 657	194 055	94 309	22 955	11 147
2013/2014	990	10 664	190 541	92 542	21 355	10 365
2014/2015	989	10 689	188 361	91 397	21 641	10 520
2015/2016	990	10 621	185 119	89 755	16 710	8 021
2016/2017	991	10 830	190 225	92 103	20 662	10 006



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**Table 2.** Overview of Special elementary schools, by year and number of students

Special Elementary Schools / Year	Schools	Classes	Students		
			Total	Female students	Students who finished school
					Total
2012/2013 <sup>28</sup>	44	166	895	292	133
2013/2014 <sup>29</sup>	44	170	793	273	94
2014/2015 <sup>30</sup>	43	180	815	291	86
2015/2016 <sup>31</sup>	44	173	727	248	101
2016/2017 <sup>32</sup>	44	200	1 206	481	132

According to the SSO data, it can be perceived that in the school year 2016/2017 there is an increase of 40% of the total number of students with disabilities in the special primary schools compared to the school year 2015/2016.

If we compare the data from the regular primary schools and the data from the special schools, it will be possible to realize that the number of children with disabilities in the primary education is lower. In 2016/2017, the total number

<sup>28</sup>Primary and Secondary Schools at the end of the year 2012/2013 Statistical overview number 2.4.18.05/896, State Statistical Office, 2014, page 40. Available at: <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>

<sup>29</sup>Primary and Secondary Schools at the end of the year 2013/2014 Statistical overview number 2.4.15.07/816, State Statistical Office, 2015, page 40. Available at: <http://www.stat.gov.mk/Publikacii/2.4.15.07.pdf>

<sup>30</sup>Primary and Secondary Schools at the end of the year 2014/2015 Statistical overview number 2.4.16.06/851, State Statistical Office, 2016, page 40. Available at: <http://www.stat.gov.mk/Publikacii/2.4.16.06.pdf>

<sup>31</sup>Primary and Secondary School at the end of the year 2015/2016 Statistical review number 2.4.17.05/874, State Statistical Office, 2017, page 40. Available at: <http://www.stat.gov.mk/Publikacii/2.4.17.05.pdf>

<sup>32</sup>Primary and secondary school at the end of the year 2016/2017 Statistical review number 2.4.18.05/896, State Statistical Office, 2018, page 40. Available at: <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>

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of students was 190,225 students in regular schools, and the share of students with disabilities was 0.6% in the special schools.

Bearing in mind that 10-15% of the total number of students belong to the category of students with disabilities, this indicator indicates that children / students with disabilities are not represented and are not included in the education system.

According to the records of the Ministry of Education and Science, and on the basis of the submitted data from the management of all state and municipal primary and secondary schools in the past school year 2017/2018, there were 1,246 primary school students with special educational needs, 431 in the special primary schools and 815 in the regular primary schools.

there is inconsistency of data across the institutions. This can also be seen from the data obtained from the MoES and data in the SSO related to the special allowance and social security benefits.

According to the information in the Statistical Review No. 2.4.18.10/901<sup>33</sup> (Chart 1) in 2016, the total number of children who were beneficiaries of the special child allowance was 7.346, and in 2017 - 7.301. According to the same review, the number of minors with disabilities, social protection beneficiaries by sex and age in 2017, it was 3,118 beneficiaries (this number does not include social protection beneficiaries aged 18-26), or if we only take out persons aged 7-15, the number of beneficiaries was 1.729 (Table 3 )

The Charts indicate that most of the beneficiaries of the special child allowance, as well as the juvenile beneficiaries of social protection, are not included in the primary education. If we look at this data through the very categories of persons with disability, we will see that

<sup>33</sup>[Social Protection of Children, Youth and Adults, 2017, Statistical Review No. 2.4.18.10/901, State Statistical Office, 2018 Available at: <http://www.stat.gov.mk/PrikaziPoslednaPublikacija.aspx?id=22> >]

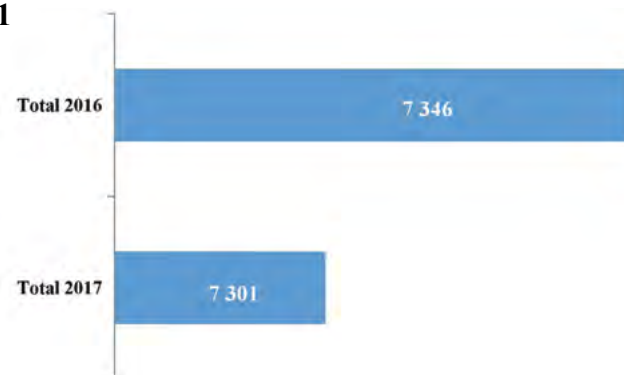


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Chart 1



**Table 3.** Juvenile with disabilities beneficiaries of social protection by sex and age, 2017

Excerpt from T-05: Juvenile beneficiaries with disabilities of social protection by gender and age, 2017		Total	Age				
			less than 7 years	7-13	14-15	16-17	18-26
Persons with visual impairments	Total	285	48	92	30	21	94
	women	91	23	39	13	6	10
Persons with hearing impairments	Total	270	41	90	61	43	35
	women	92	21	35	18	10	8
Persons with impairments in verbal communication	Total	84	22	25	17	9	11
	women	32	10	12	4	2	4
Persons with physical disability	Total	817	247	208	96	123	143
	women	332	115	81	35	51	50
Persons with intellectual disabilities	Total	1 364	217	389	274	199	285
	women	552	87	158	125	81	101
Autism	Total	97	40	46	6	3	2
	women	18	7	9	1	-	1
Persons with combined developmental difficulties	Total	948	242	299	96	134	177
	women	378	107	118	37	48	68

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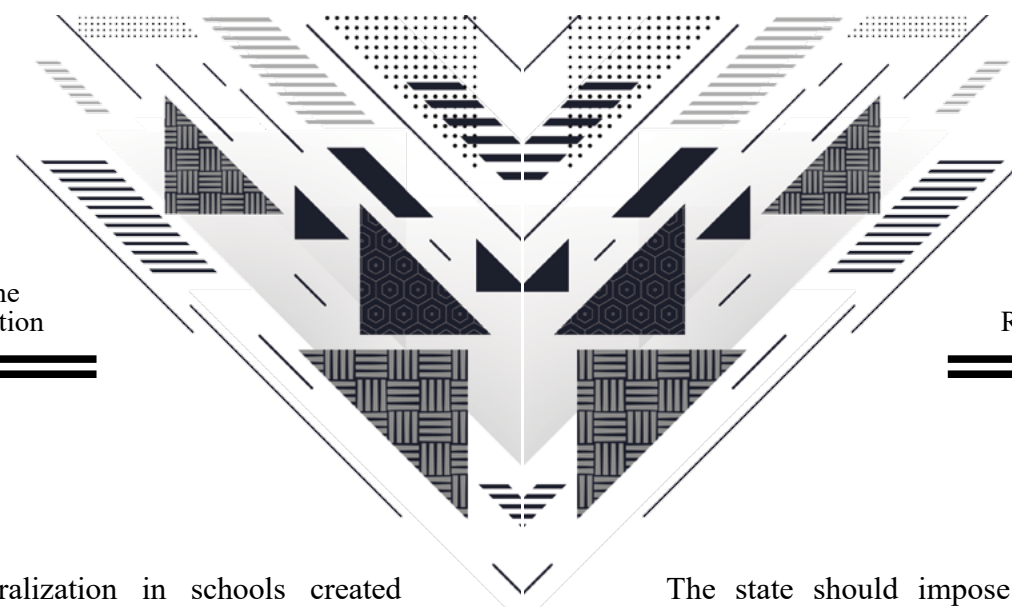
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these registered individuals by categories are somewhere lost through the labyrinth of the system.

If we compare the Tables 3 and 4, regarding the categories of persons with disabilities, we can notice that a total of 523 persons / children are not included in

**Table 4.** Number of special primary schools, classes and students

2016/2017	Schools	Classes	Students			
			Total	Female students	finished a grade	finished school
<b>Total</b>	<b>44</b>	<b>200</b>	<b>113</b>	<b>481</b>	<b>1068</b>	<b>132</b>
School for children with impairments in intellectual development	40	168	1 093	440	965	126
Schools for children with hearing impairments	1	14	61	21	61	3
School for children with visual impairments	1	10	32	15	32	1
Schools for children with hearing and visual impairments	1	2	10	3	10	1
Schools for children with physical disability	1	6	10	2	-	1



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education, out of which 17 persons with intellectual disability, 90 persons with impaired hearing, 90 visually impaired, 32 persons / children with impaired hearing and speech and 294 persons / children with physical disabilities.

If we compare the Tables 3 and 4, regarding the categories of persons with disabilities, we can notice that a total of 523 persons / children are not included in education, out of which 17 persons with intellectual disability, 90 persons with impaired hearing, 90 visually impaired, 32 persons / children with impaired hearing and speech and 294 persons / children with physical disabilities.

Such classes are in 21 schools in 18 municipalities and are integral part of primary schools that are now under the jurisdiction of the municipality. These classrooms function as environments with “special conditions” within regular schools.

Statement of the participant of the interview

Decentralization in schools created conditions in which there are no local inclusion policies. For those students attending school, the choice is reduced to a regular school or a special school. There are also classes for students with disabilities in regular primary schools.

In addition, in this approach when children with disabilities are allocated in special classes - although they are under the same roof - they are, in practice, separated from their classmates, are formed only by shortened school hours or denied access to extended stay.

Through the existing data, the gender gap in persons with disabilities can be noticed. Namely, out of the total number of children with disabilities registered (Table 3), 40% are female children, with the least number of girls with disabilities in children with physical disabilities (20%).

The lack of statistics for the population with disabilities is very limiting factor in determining how many persons with disabilities are included in the regular classes, how many are allocated in special classes in regular schools, and how many of the children with disabilities realize their education exclusively in special schools, such as special institutions.

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The state should impose obligation every educational institution to keep records and statistics on the number of persons with disabilities involved in the education system, distributed by categories of disability according to Article 2 of the CPC, taking into account the gender aspect.

Among the existing 116 high schools, more than 100 are public and others are private or religious. Approximately 14% of secondary schools are gymnasiums, 34.5% are professional, while 29% offer gymnasium and vocational education; 4 schools are for children with disabilities and 5 are art schools.

**Table 5.** Total number of regular secondary schools, classes, students 2013 -2017<sup>34</sup>

T-29: Regular highschool, classes, students	School	Classes	Students			
			Total	Female students	Students who finished school	
					Total	Female students
2012/2013	113	3 467	88 582	42 506	25 546	11 916
2013/2014	115	3 457	84 827	40 649	23 936	11 100
2014/2015	118	3 494	81788	39 533	23 516	11 057
2015/2016	121	3 447	77 625	37 267	21 957	10 248
2016/2017	131	3 481	72 482	34 874	21 577	10 171

<sup>34</sup>[Primary and Secondary Schools at the end of the year 2016/2017 Statistical overview number 2.4.18.05/896, State Statistical Office, 2018, page 44. Available at: <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>]



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**Table 6.** Total number of special secondary schools, classes, students with disabilities 2013 -2017

T-45: Special highschools, classes, students	Schools	Classes	Students			
			Total	Female students	Students who finished schools	
					Total	Female students
2012/2013 <sup>35</sup>	4	57	289	87	272	97
2013/2014 <sup>36</sup>	4	58	279	80	256	79
2014/2015 <sup>37</sup>	4	59	260	74	258	72
2015/2016 <sup>38</sup>	4	60	236	64	234	70
2016/2017 <sup>39</sup>	4	61	221	64	221	82

<sup>35</sup> Primary and Secondary Schools at the end of the year 2012/2013 Statistical overview number 2.4.18.05/896, State Statistical Office, 2014, page 62. Available at: <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>

<sup>36</sup> Primary and Secondary Schools at the end of the year 2013/2014 Statistical overview number 2.4.15.07/816, State Statistical Office, 2015, page 62. Available at: <http://www.stat.gov.mk/Publikacii/2.4.15.07.pdf>

<sup>37</sup> Primary and Secondary Schools at the end of the year 2014/2015 Statistical overview number 2.4.16.06/851, State Statistical Office, 2016, page 62. Available at: <http://www.stat.gov.mk/Publikacii/2.4.16.06.pdf>

<sup>38</sup> Primary and Secondary School at the end of the year 2015/2016 Statistical overview number 2.4.17.05/874, State Statistical Office, 2017, page 62. Available at: <http://www.stat.gov.mk/Publikacii/2.4.17.05.pdf>

<sup>39</sup> Primary and Secondary School at the end of the year 2016/2017 Statistical overview number 2.4.18.05/896, State Statistical Office, 2018, page 62. Available at: <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>

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The total number of students in the regular secondary schools in the year 2016/2017 was 72,482 (Table 5), while the number of students with disabilities in the year 2016/2017 was 221 (Table 6).

By analogy of the participation of children with disabilities in primary education and secondary education in the school year 2016/2017, the share of students with disabilities is 0.3%, halved

by the participation of students with disabilities in elementary education for the academic year 2016/2017.

Secondary special education for students with disabilities is organized in 4 institutions, out of which 2 are secondary schools for persons with intellectual disability, 1 for visually impaired, and 1 for persons with impaired hearing and speech. (Table 7).

**Table 7.** Special secondary schools according to the type of students' disabilities, 2016/2017

T-49: Special highschools according to type of students' disability, 2016/2017	Schools	Classes	Students			Finished school	
			Total	Female students	Finished grade	Total	Female students
<b>Total</b>	<b>4</b>	<b>61</b>	<b>221</b>	<b>64</b>	<b>221</b>	<b>82</b>	<b>21</b>
For persons with intelecual development disability	2	41	169	42	169	60	13
For blind people and people with vision impairments	1	8	17	10	17	7	3
For deaf and hardhearing people	1	12	35	12	35	15	5



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Taking into account the data from the special primary education (Table 2), it can be seen that a very small number of students with disabilities continue their education.

The qualifications acquired by persons with disabilities in these secondary schools are in 7 areas. The problem with these professions is that they are not in the same scope and quality as in regular secondary schools. Students who are studying in specialized education usually do not receive a recog-

nized diploma and have limited access to secondary and higher education. Despite the insufficient credible data, it seems that once they enter special education, they can rarely be reintegrated into the standard education. This approach can only deepen the marginalization of persons with disabilities in society and it contributes to strengthening prejudices against them.

In Table 8 can be seen that the greatest share of persons with disabilities is in the graphic profession. However, when it comes to graphics, students with disabilities acquire professional training for bookbinders, printers, cardboard workers, gluing and other manual jobs in the field of graphic arts. The health profession in the secondary vocational four-year education contains 5 educational profiles: dental technician, nurse, medical laboratory technician, pharmaceutical laboratory technician and physiotherapeutic technician. Persons with disabilities in this profession as a physiotherapeutic technician.

When considering that work-training programs are obsolete, and jobs for

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Table 8<sup>40</sup>. Special secondary schools by vocation

Special secondary schools, students by years and vocations, 2016/2017	Вкупно	Students by vocation									
		agricultural - veterinary	traffic	mechanical	electro-technical	textile	textile - leather	graphic	construction	catering and tourist	health
Total students	221	15	4	57	10	26	13	57	16	15	8
Female students	64	1	3	-	-	16	12	20	-	8	4
Finished a grade	221	15	4	57	10	26	13	57	16	15	8
Students by years											
I year											
are	55	4	-	11	3	9	2	20	3	3	-
female students	17	-	-	-	-	5	2	8	-	2	-
finished a grade	55	4	-	11	3	9	2	20	3	3	-
II year											
are	73	4	2	18	3	8	4	15	10	7	2
female students	23	1	2	-	-	5	4	5	-	4	2
finished a grade	73	4	2	18	3	8	4	15	10	7	2
III year											
are	77	7	2	19	4	9	2	22	3	5	4
female students	19	-	1	-	-	6	1	7	-	2	2
finished a grade	77	7	2	19	4	9	2	22	3	5	4
IV year											
are	16	-	-	9	-	-	5	-	-	-	2
female students	5	-	-	-	-	-	5	-	-	-	-
finished a grade	16	-	-	9	-	-	5	-	-	-	2

<sup>40</sup>[ Primary and Secondary School at the end of the year 2016/2017 Statistical overview number 2.4.18.05/896, State Statistical Office, 2018, page 63. Available at <http://www.stat.gov.mk/Publikacii/2.4.18.05.pdf>]



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which persons with disability are most often not corresponding with the needs of the labor market, the question arises as to the relevance of this education, and then on the real possibilities for equalizing the chances of persons with disabilities on the general labor market. Regardless of the potential of persons with disabilities according to the legal framework, they are destined to educate themselves for manual and low paid jobs.

The curricula for students with disabilities should be directed towards more advanced, sophisticated occupations required in the general labor market.

An additional problem arises also the inaccessibility of the educational institutions themselves for persons with disability. The problem is so great that even special schools are inaccessible to students with disabilities.

### 3. Perception of discrimination based on disability

Although legislation exists, in practice, persons with disabilities have a lower level of participation in all stages of the educational process, especially in secondary and higher education. Persons with intellectual disability are those who often do not continue their education to higher level. An additional difficulty is the inaccessibility of educational institutions. Research has shown that out of 334 primary schools in the country<sup>41</sup>, in analyzed 238 schools, 18.9% of schools had access ramps at the entrance, 10.9% of schools had adapted indoor premises (classrooms and toilets), and no schools did not have an internal elevator. Of the analyzed schools, 74.3% of schools use computers in the teaching process, but only 40.8% of students with disabilities use computers on an equal basis with other students largely due to the lack of adaptability of computer equipment (assistive device) and software custom-

<sup>41</sup>[See: Research Report: Application of Assistive Information Technology to Regular Elementary Schools in Macedonia, Current Conditions and Needs, Open the Windows, Skopje, March 2011, p.9-15.]

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ization. While in secondary vocational schools, the results show that 59% of schools do not have a pad, 78% do not use assistive technology, and even 65% do not have adapted rooms<sup>42</sup>.

According to the survey “Schools tailored to children”<sup>43</sup>, 69% of teachers working with children with “developmental disabilities” in Macedonia and 50% of all teachers think that children with disabilities should not attend regular classes.

These findings are also found in the research “Mapping VET Educational Policies and Practices for Social Inclusion and Social Cohesion,” according to which “there are limited opportunities for education and students with special

educational needs. This is mainly related to the lack of necessary physical capacities within schools, but also due to the widely accepted idea that students with special needs should not be confused with other students in regular classes<sup>44</sup>.”

The report entitled “The right to education of children with disabilities: access to inclusive education” estimated that only 15% of children with disabilities in the country attend school, most often a special school and stigmatization is the main obstacle in achieving full inclusion<sup>45</sup>.

From the findings of the research “Students with disabilities at the University “St. Cyril and Methodius” in 2011”,

<sup>42</sup>[See: Ardiana Isahi-Paloshi, Lidushka Vasileska, Lepa Trpceska, Goran Spasovski, Radmila Stojkowska-Aleksova, David Crabtree, Inclusion in Secondary Vocational Education, Handbook for Working with Students with Special Educational Needs, British Council, Skopje, 2014, p. 69]

<sup>43</sup>[See: Publication: “INCLUSIVE education within schools according to the measure of the child: results and recommendations from the study on Macedonia” MES, 2010 Available at: [http://www.unicef.org/tfymacedonia/INCLUSIVE\\_REPORT\\_MKD\(1\).pdf](http://www.unicef.org/tfymacedonia/INCLUSIVE_REPORT_MKD(1).pdf)]

<sup>44</sup>[See: Report: “Mapping VET Education Policies and Practices for Social Inclusion and Social Cohesion in the Western Balkans, Turkey and Israel. Report for Macedonia “2013 Available at: <http://docplayer.net/79775693-Mapping-of-vet-educational-policies-and-practices-for-social-inclusion-and-social-cohesion-in-the-western-balkans-turkey-and-israel.html>]

<sup>45</sup>[See: Zaneta Poposka, Bekim Kadriu, Elena Grozdanova, Redzapali Chupi, Elena Kochoska, Analysis of Discriminatory Practices in the Field of Education, OSCE and MLSP, Skopje, 2014, p.103]



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only 47 students with disabilities are registered at the faculties at the University “St. Cyril and Methodius” in 2011. Of these, 30 students are with physical disabilities, 2 with impaired hearing, 5 students with impaired vision, 5 with chronic illness and 5 students with combined developmental disabilities.

The majority of schools (70%) do not submit the findings and opinion from the Institute for Mental Health and schools in the enrollment of students with disabilities. There is no standard procedure for identifying and following students with special educational needs.

External testing and graduation are processes in which accessibility is not taken into account at all. In external testing, students must use a “random” computer, causing some people with physical disabilities a great challenge (for example, a blind person cannot use a screen reader). Unofficially: the results of students with disabilities do not fall in the average of schools and the overall national average (a separate list is kept

and then their results are not included when calculating the average)<sup>46</sup>.

The Ombudsman, in the report of the visit of the 6 special primary and secondary schools in Macedonia in 2013, said,

The decades-long practice of segregation has made obvious the serious consequences of special children’s education. School segregation not only discriminates against children and violates their right to education on an equal base with others, but also reduces opportunities to acquire essential life skills through contact with others; it is often the first step in the life path marked by segregation.

<sup>46</sup> [ See: Kochoska E. Shavreski Z, Jovanoska V. Klazovski V. Publication Analysis of the situation of persons with physical disabilities in the Republic of Macedonia “, 2016. Helsinki Committee. Available at: <http://www.mhc.org.mk/>]

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“There is a need to prepare textbooks that would be tailored for the children. Most of the special schools face insufficient cooperation by the parents, and the cooperation with the health institutions that issues the findings and opinions on the disability of children is not satisfactory.”

Based on the perceived situation, the NP points out that the most frequent reason for the early departure of special education is marriage, deterioration of the state of health, lack of conditions and opportunities for further education in the regular education system, due to the low economic situation, as well as due to certain benefits which provides the state for various vulnerable groups.

From the information of the Ombudsman, it can be seen that the parents of children with moderate and combined obstacles who receive a special allowance write off the children from school, because by placing the children in a dormitory home this special allowance is interrupted<sup>47</sup>.

The right to education should be interpreted through an expanded vision of education that goes beyond compulsory and formal education. This should include pre-school and higher education, but also out-of-school activities and non-formal education.

Persons with disabilities in society must have access to such learning opportunities on an equal base with others, and the state must provide and guarantee opportunities.

<sup>47</sup>[See: Report to the Ombudsman: “Information on the state of involvement of children with special needs in primary and secondary schools”, Ombudsman 2013. Available at: <http://ombudsman.mk/upload/documents/2013/Izvestaj-Special%20ucilista-2014.pdf>]

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Demystification of the issue of disability  
with reference to the right to education



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### 1 Objective, subject and sample of the research

AnThe analysis - “The Missing Link” - demystification of the issue of disability in the exercise of the right to education was developed within the framework of the project “Margina Obscura - the issue of disability in the accession to the EU” implemented by Polio Plus - the movement against disability.

The purpose of the analysis was to clarify the issue of disability in practice, i.e. to reflect the current situation regarding the realization of the rights of children and persons with disabilities in the field of education. The analysis is conceived as tool in the hands of relevant stakeholders in this area to promote the practice in order to harmonize and improve the legal framework with the CRPD.

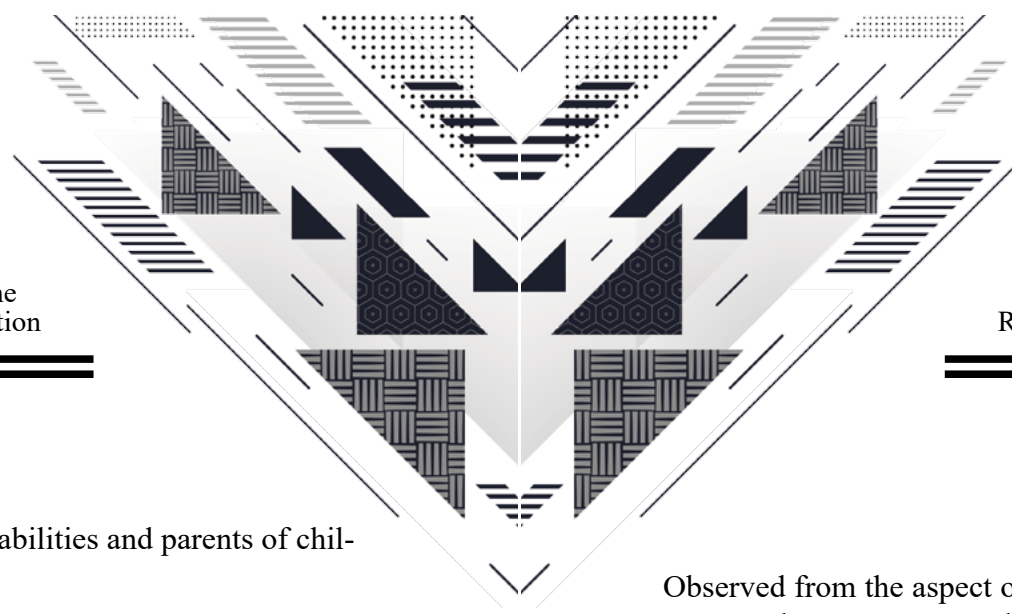
For the purpose of the analysis, sample made up of 1000 respondents was created, out of which 500 were persons with disability and 500 parents of children with disabilities, while keeping the position of representatives from all forms of disability.

In that direction, respondents from 185 people with physical disability, 145 people with visual impairments, 140 people with hearing impairment and 30 people with intellectual disability received answers from disabled people. From parents of children with disabilities, feedback from 120 parents of children with physical disability, parents of children with impaired vision - 35, born of hearing impaired children - 60, parents with children with combined disability - 105 and 180 by parents of children with intellectual disability (Chart 2).

Based on the received information from the field, regarding the gender representation, feedback from 265 women was received, while 235 were male. In the case of parents with disabilities with regard to gender, answers were received from 245 men and 255 women. (Chart 3)

In terms of ethnic representation, 645 participants declared themselves as Macedonians. 270 Albanians, 25 Bosniaks, 30 Turks, 10 Vlachs, while 20 participants stated that they are from the Roma community.



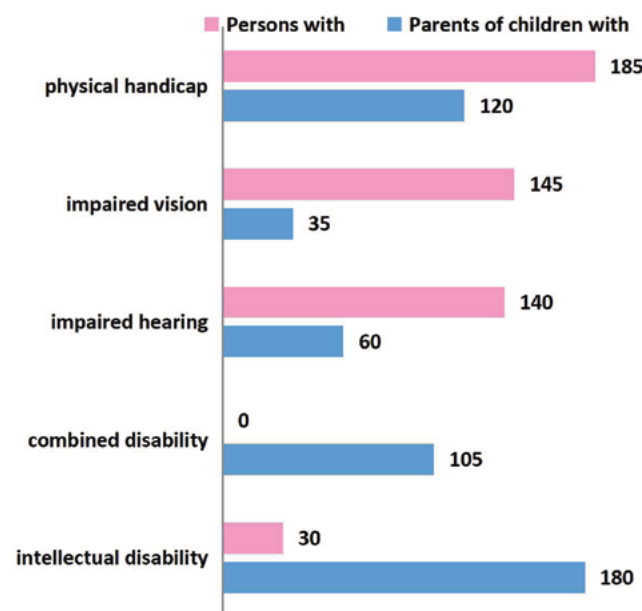


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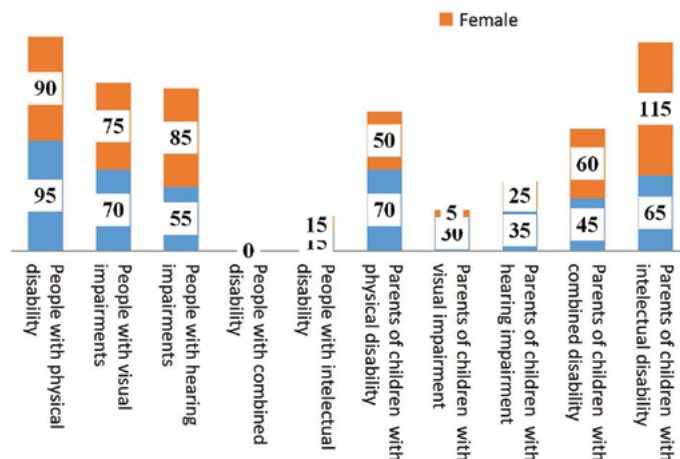
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**Chart 2.** Sample from the field - persons with disabilities and parents of children with disabilities based on disability



**Chart 3.** A sample from the field - persons with disabilities and parents of children with disabilities



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Observed from the aspect of territorial coverage, the survey covered both urban and rural areas. The largest representation is in Skopje, where 200 respondents were covered, followed by Tetovo with 165 respondents, followed by answers from Veles for 80 respondents, Prilep - 75 respondents, Gostivar - 70 respondents, Gevgelija - 35 respondents, Strumica, Struga, Radovish, Ohrid, Negotino, Dojran and Vinica - 15 respondents, Gradsko - 30 respondents, Resen - 25 Probistip, Shtip, Kicevo, Kriva Palanka and Bogovinje with 20 respondents, Kocani, Kratovo, Kumanovo, Dojran with

10 respondents, Bitola and Brvenica, Valandovo, Debarca with 5 respondents.

The respondents with disabilities with age group from 30 to 34 years dominate in the disability, followed by respondents from 44 to 44 years old, while the most common among the parents is the age group 35 - 39, followed by over 50 years of age. (Chart 4)

The educational structure of the respondents is different. The most significant is the secondary education in both groups. In the case of persons with disabilities, there are a high percentage of persons with primary education and

**Table 9.** A sample from the field of persons with disabilities and parents of children with disabilities by ethnicity

Ethnicity	Persons with physical disabilities	Persons with impaired vision	Persons with hearing impairment	Persons with combined disabilities	Persons with intellectual disability	Parents of children with physical disabilities	Parents of children with impaired vision	Parents of children with hearing impairment	Parents of children with combined disabilities	Parents of children with intellectual disability
Macedonians	110	80	100		25	80	20	50	70	110
Albanians	75	45	20		5	25	10		30	60
Bosniaks		5	10			5			5	
Turks		10	5			10	5			5
Vlachs			5							5
Roma		5						10		5
	185	145	140	0	30	120	35	60	105	180

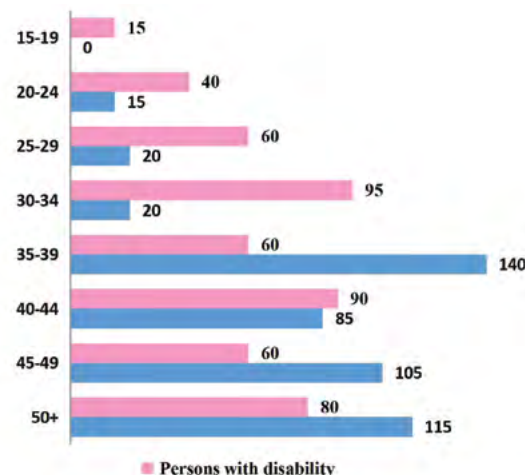


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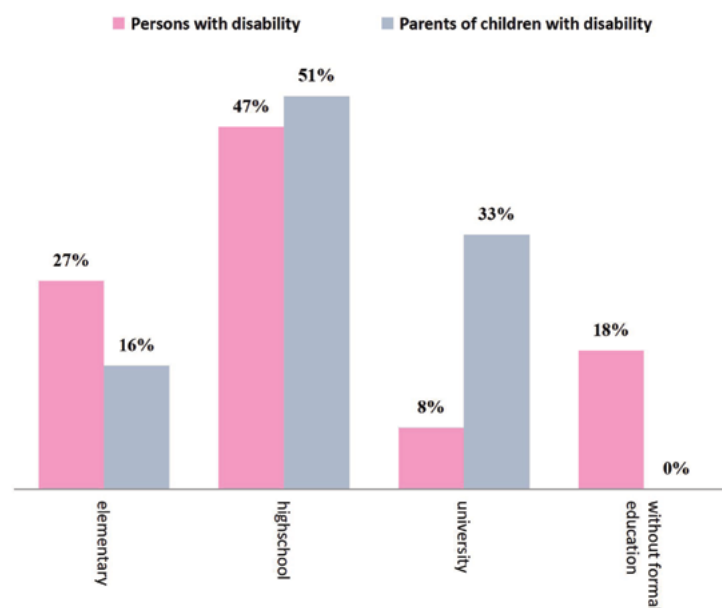
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**Chart 4.** A sample from the field of persons with disabilities and parents of children with disabilities based on age group



18% who do not have formal education. persons with disabilities are quite low  
Unlike the parents, 33% have completed high education, the percentage of that they have a university degree.

**Chart 5.** A sample from the field of persons with disabilities and parents with children with disabilities based on education



## 2. Quantitative and qualitative analysis of the responses to the questionnaires

In the area of education, the respondents answered 10 questions. In addition, the interviewees also had questions about certain areas that are closely related to the state of disability and education, for which both groups show little knowledge or do not mention them in everyday life, although they are an important element in defining the educational policy.

In terms of discrimination, 87% of the respondents consider that they are discriminated in our society, where education is in third place as a case where persons with disabilities have declared themselves discriminated (70.5%).

One of the state obligations when undertaking all the necessary measures for securing the right to education for the disabled is to provide accessibility as physical, i.e. access to and in the buildings, as well as to provide accessibility to all information and communication for children and adults with disability.

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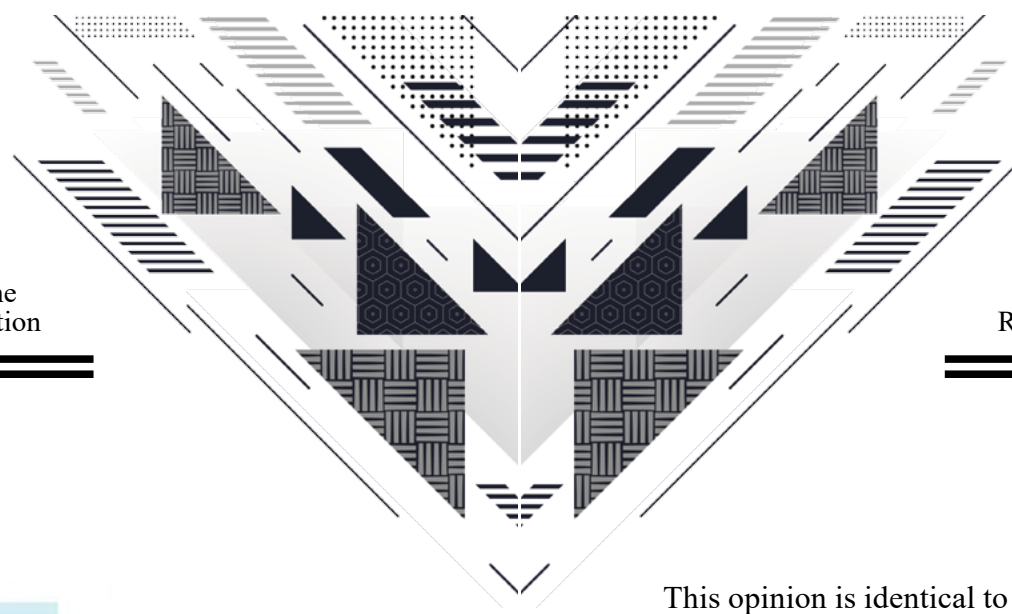
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In terms of accessibility, 85.5% of the respondents indicated that educational institutions are not accessible. 12% think they are partially accessible, while 2.5% say they do not know (Chart 8).

“Disabled students should attend special schools, there they will have instruction tailored to them and will find it easier to manage, because in these schools there are only children with disabilities” - a statement by a focus group participant

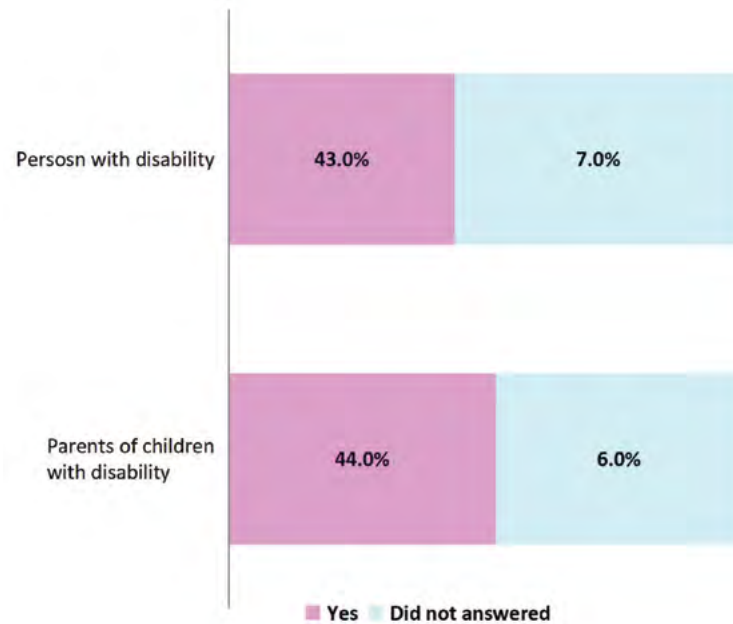
“There is isolation of children with disabilities in schools due to low level of awareness among other children, but also because of lack of assistive technology and equipment necessary for working with children with disabilities. Physical education classes must also apply to children with disabilities, they are currently excluded from this course” - a statement by a focus group participant



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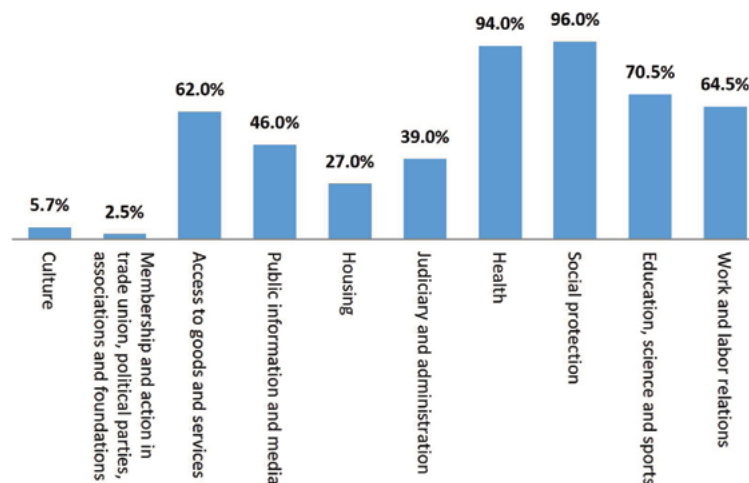
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**Chart 6.** Are persons with disabilities discriminated in our society?

**Chart 7.** In which area of social life persons with disabilities are most often discriminated against?



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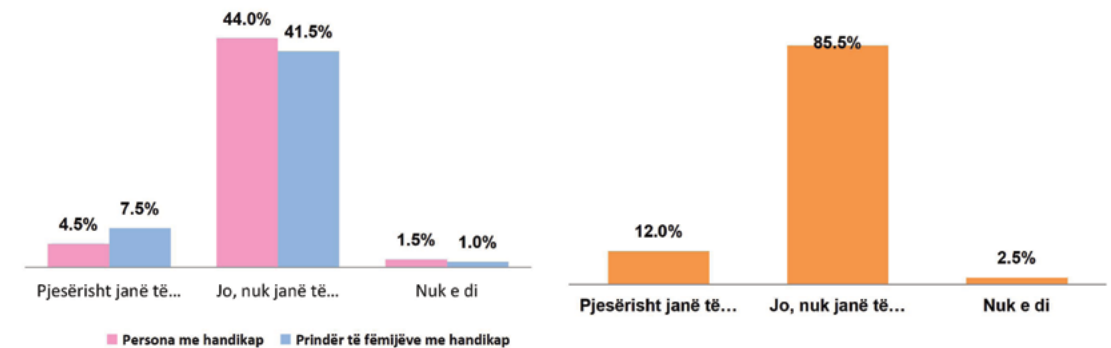
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This opinion is identical to the parents of children with disabilities and the persons with disabilities themselves. 44% of persons with disabilities think that educational institutions are not accessible, and 41.5% of parents share this opinion. 12% of the total numbers of re-

disabilities pointed out that they do not know whether educational institutions are accessible or not, while only 1% of parents have that attitude. In terms of the groups themselves, there are certain variations in the persons and the parents with disabilities.

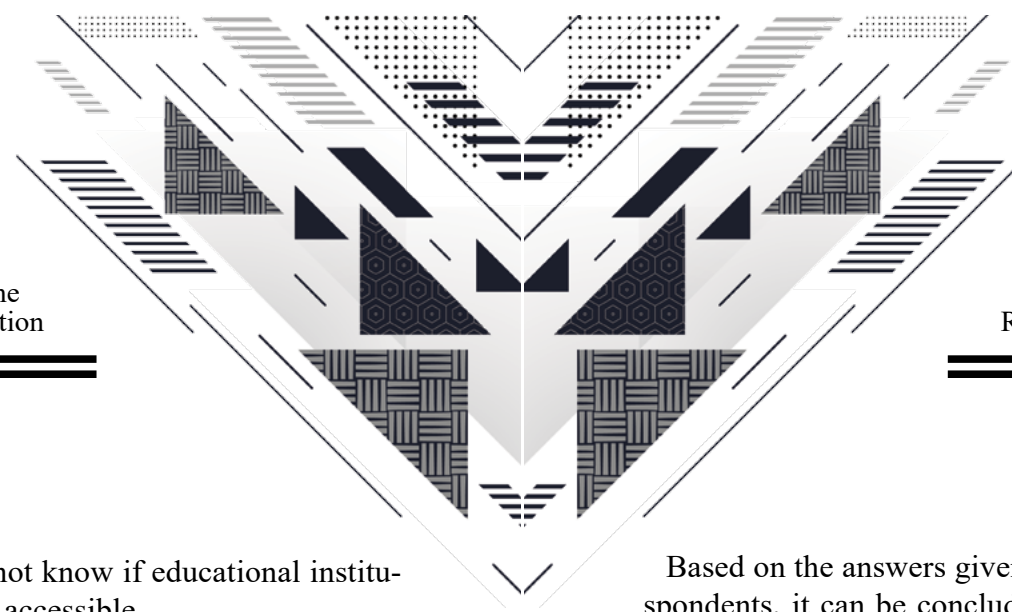
**Grafiku 8.** Sipas Jush, nëse kopshtet/shkollat janë të arritshme për personat/fëmijët me handikap dhe në çfarë shkalle ?



spondents think that educational institutions are partially accessible. (Chart 8).

This opinion is shared by 7.5% of the parents of children with disabilities and 4.5% of the persons with disabilities themselves. 1.5% of persons with

18.5% of people with physical disability believe institutions are not accessible, compared to the parents of children with physical disability, where 10.5% think they are not accessible, and 1.5% of them think that institutions are partially accessible. 12, 5% of people with visual impairment think institutions are



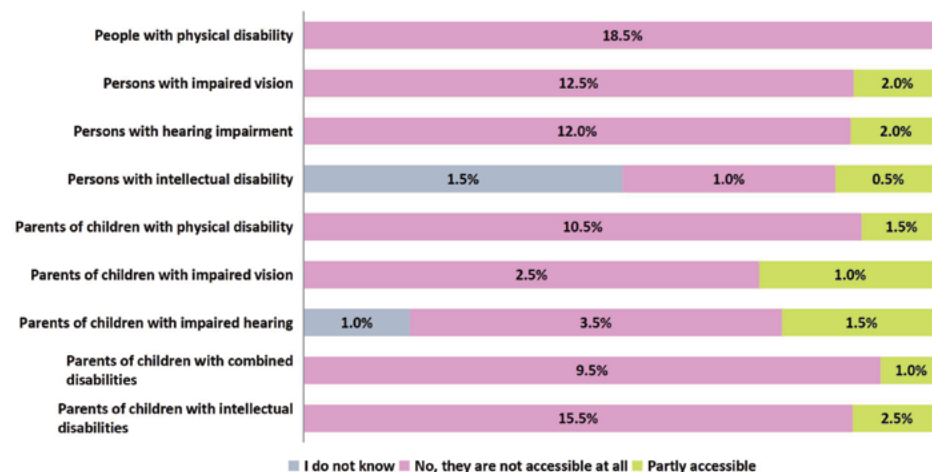
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not accessible, while 2% think they are partially accessible. This thinking is similar to the parents of children with impaired vision, where 1% of them think that the institutions are partially accessible. People with impaired hearing and speech have almost similar views as well as people with visual impairment.

**Chart 9.** According to you, whether and to what extent kindergartens / schools are accessible and available for the persons / children with disabilities?



12% of them think that the institutions are not accessible, and 2% of them indicated that they are partially accessible. Unlike sightings of people with hearing and speech impairment, 1% of parents with hearing impaired children said

they do not know if educational institutions are accessible.

These considerations were confirmed by the participants in the focus group, where the general conclusion is that primary and secondary schools, as well as the faculties in Macedonia, do not meet

the accessibility standards. Most often, under accessibility, the attendants involve physical accessibility, that is, a ramp and lift, while the parking lot, accessible toilets does not even mention them.

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Based on the answers given by the respondents, it can be concluded that the respondents consider that the educational institutions are not accessible for the disabled. Given that people with visual impairment and hearing and speech, persons with intellectual and combined disability exercising their education in special schools are not aware of all accessibility elements outside their group in the disability community.

Given that primary and secondary education is compulsory and only a small number of schools are accessible, the question arises as to how and how children with disabilities can exercise their right to education at all.

SI n terms of accessibility and availability of educational materials (textbooks, teaching aids, etc.) as well as educational techniques, 95.5% of the total number of respondents consider that they are not appropriate, out of which 49% are persons with disabilities while 46.5 considerations of the parents of children with disabilities. Only 4.5% of the total number of respondents answered positively, with 3.5% of parents considering that educational materials (textbooks, teaching aids, etc.) and edu-

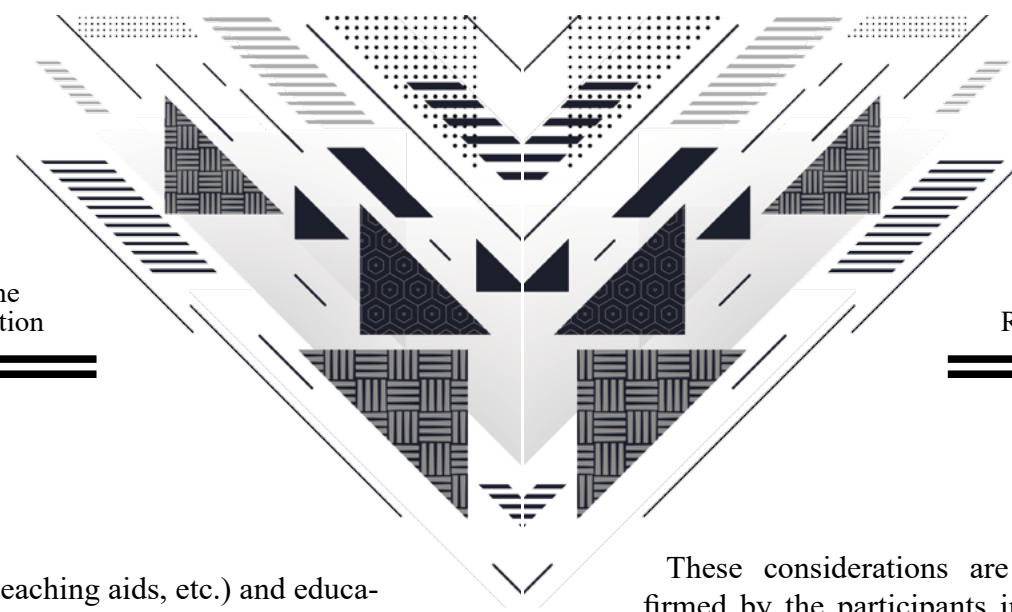
cational techniques are suitable for students with disabilities.

Viewed through the prism of the groups themselves, (Chart 11) it can be noticed that persons with physical dis-

I am mother of 8-year-old girl of lower growth I asked the school to adjust the table, chair and toilet to allow my daughter to follow the lesson, but the school principal denied me “now for one child I will need to be yes renovate ...”

**Statement of a participant from a focus group**

ability (1%), parents with children with physical disability (2.5%), as well as very small % parents of children with visual impairment and parents of children with hearing impairment and speech) have the opinion that the materials are suitable for persons with disability..

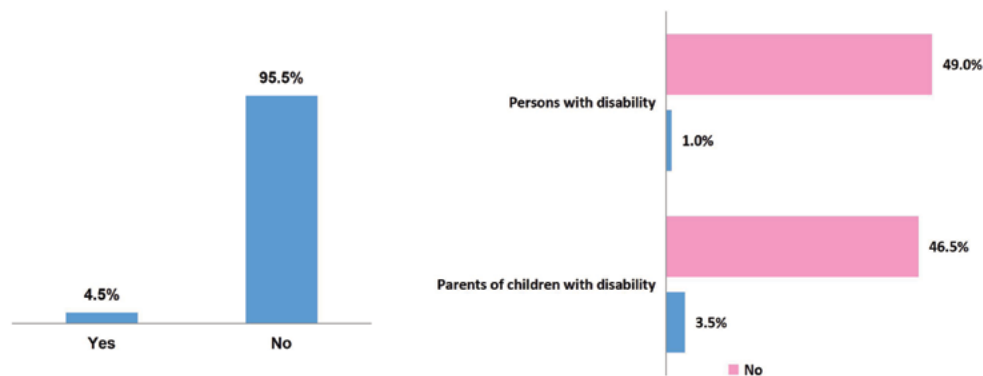


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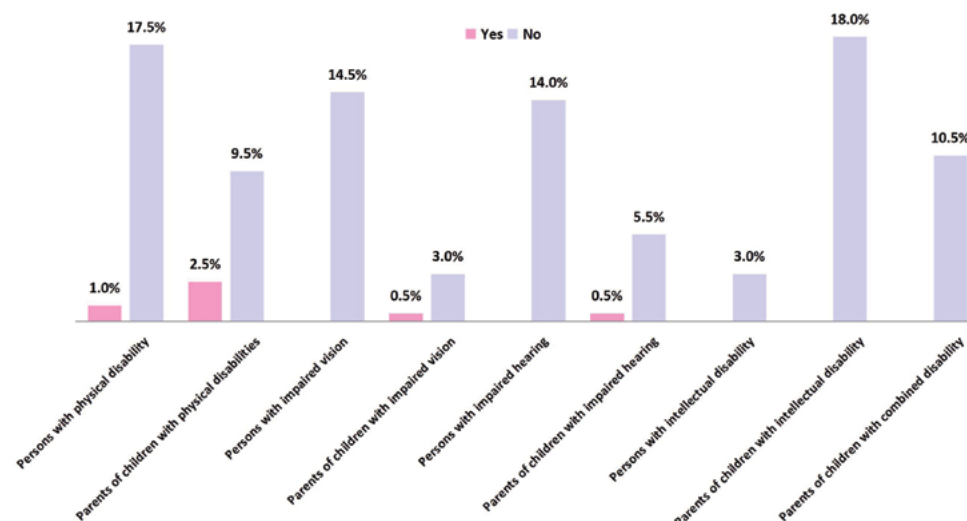
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**Chart 10.** Are educational materials (textbooks, teaching aids, etc.) and educational techniques appropriate for students with disabilities



**Chart 11.** Are educational materials (textbooks, teaching aids, etc.) and educational techniques appropriate for students with disabilities?



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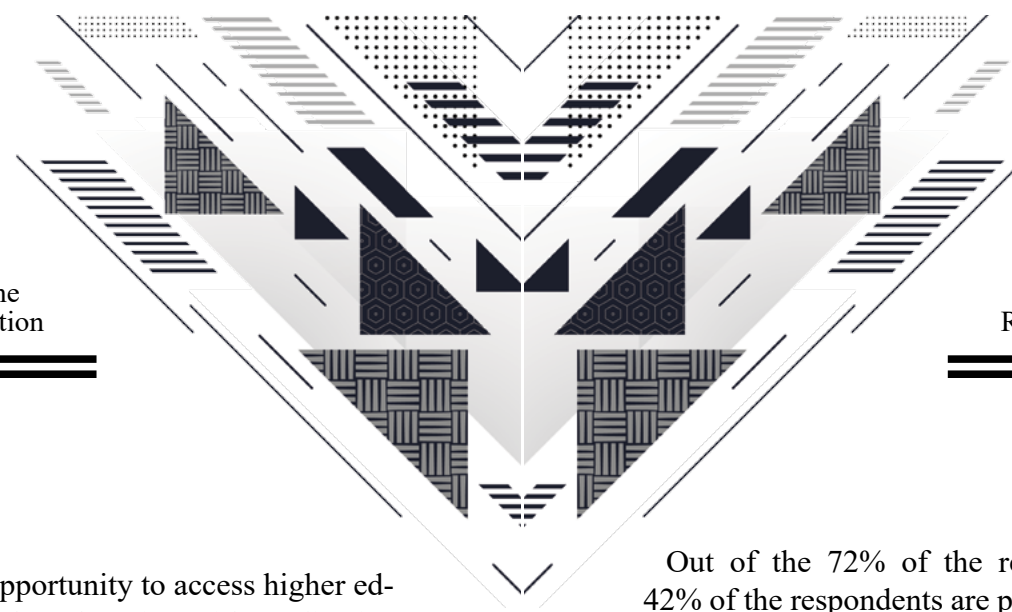
These considerations are also confirmed by the participants in the focus group, where the general conclusion is that they are not adequately technically and materially equipped, children with special needs learn on the basis of inadequate and unsuited instructional contents that they are not able to master and there are no separate textbooks that would facilitate the education of this category of children.

In addition to access to primary and secondary education, 72.5% of the respondents asked: “Do persons with disabilities have the opportunity to access higher education, vocational training, adult education and lifelong learning without discrimination and on equal base with the others?” that they have no equal opportunity to access them.

“My mother re-wrote the lessons with capital letters so that I could study. We tried to read loud, but I could not concentrate in that manner” - a statement by a focus group participant.

“A student with intellectual disability slowly reads, writes and learns.”The assistant told me that I was lazy, and I need more time to learn the material and more time when passing a colloquium or exam. I learned with my sister, who shared my lessons with lesser passages because it was easier to concentrate and learn more easily. During the study, the assistants and the professors understood this and allowed me to put it orally or give me more time in writing. “- a statement by a focus group participant.

Textbooks, proofreaders and the like are not available in formats suitable for blind or poor vision children. “I book all books and books in a larger font so that I can read them” - a statement from a parent of a child with a disability.

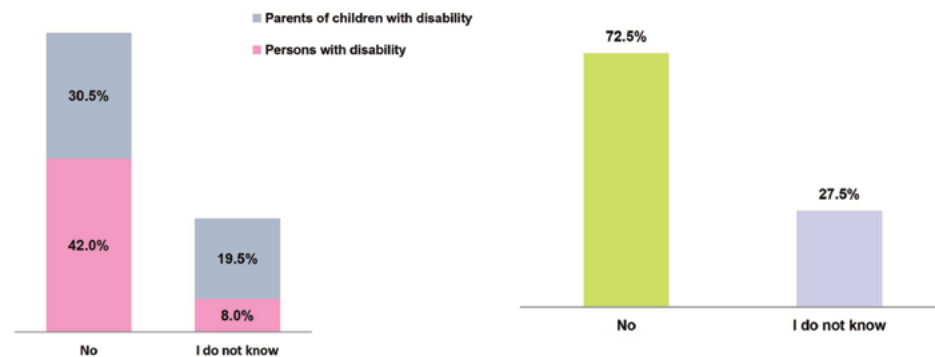


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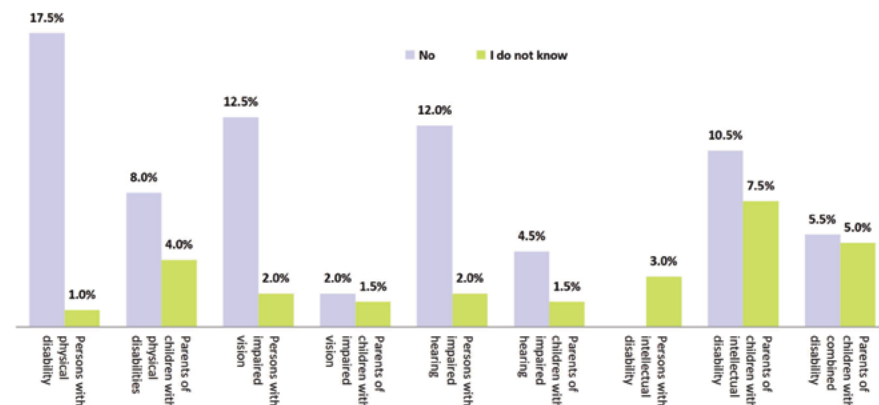
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**Chart 12.** Do persons with disabilities have the opportunity to access higher education, vocational training, adult education and lifelong learning without discrimination and on equal base with the others?



**Chart 13.** Do persons with disabilities have the opportunity to access higher education, vocational training, adult education and lifelong learning without discrimination and on equal base with the others?



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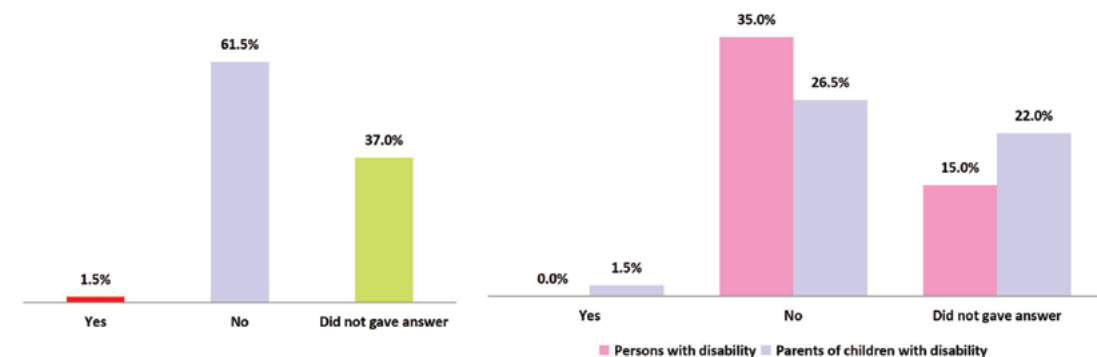
Out of the 72% of the respondents, 42% of the respondents are persons with disabilities, while 30.5% are parents with children with disabilities. 19.5% of the respondents - parents of children with disabilities do not know whether children / persons with disabilities can exercise their right to higher education, vocational training, adult education and lifelong learning without discrimination and on equal base with the rest, which is quite a worrying fact.

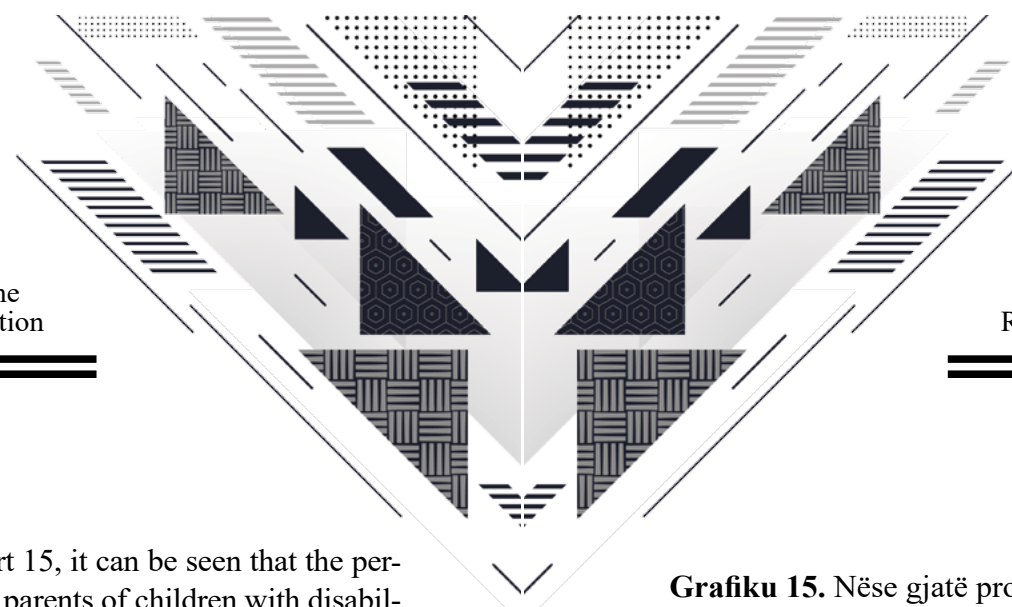
From the findings in this Chart, we can conclude that the parents of children with disabilities do not have knowledge

about the opportunities and rights that the persons with disability have or when they are not adults.

The question “Did you / your child have adequate adaptation during the educational process?” 61.5% of the respondents answered negatively (Chart 14), out of which 35% are persons with disabilities and 26.5% are parents of children with disabilities. Only 1.5% of the respondents - parents of children with disabilities responded positively, i.e. during the educational process they were provided with appropriate adaptation of their child with disabilities.

**Chart 14.** Did you / your children have adequate adjustment during the educational process?





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“My faculty is accessible. Only one staircase is outside and my father must help me here “- a statement from a person with a disability.

“My mother or my grandmother accompanies me to the faculty to pass the stairs. Otherwise, I can do it myself. Sometimes colleagues are helping me “- a statement from a person with a disability.

“Students and students go to school / university with their loved ones, most often a parent” - a statement by a representative from the institutions.

The percents of respondents who did not give answer are very high. Out of the 37% of the respondents, 22% are parents with children with disabilities, while 15% are persons with disabilities. Observed through the groups themselves, it can be noted that adequate adaptation was provided to parents with physical disability (1%) and parents of children with impaired vision (0.5%).

In Chart 15, it can be seen that the persons and parents of children with disabilities do not know enough the institute for appropriate adjustment. In the survey, there is also a high percentage of respondents who did not answer this question, which is the biggest percentage of parents with children with intellectual disability (9.5%), then parents of children with combined disability (4.5%), followed by parents with children with physical disability (4%). In the respondents with disabilities, the highest level of ignorance is among the persons with impaired vision (5%), and in the persons with physical disability (4%).

The question: “Does the education system help to develop the personality, talents, creativity and abilities of students / children with disabilities?” 19 % of the respondents believe that the education system partly helps in developing the talent, creativity and abilities of persons with disability.

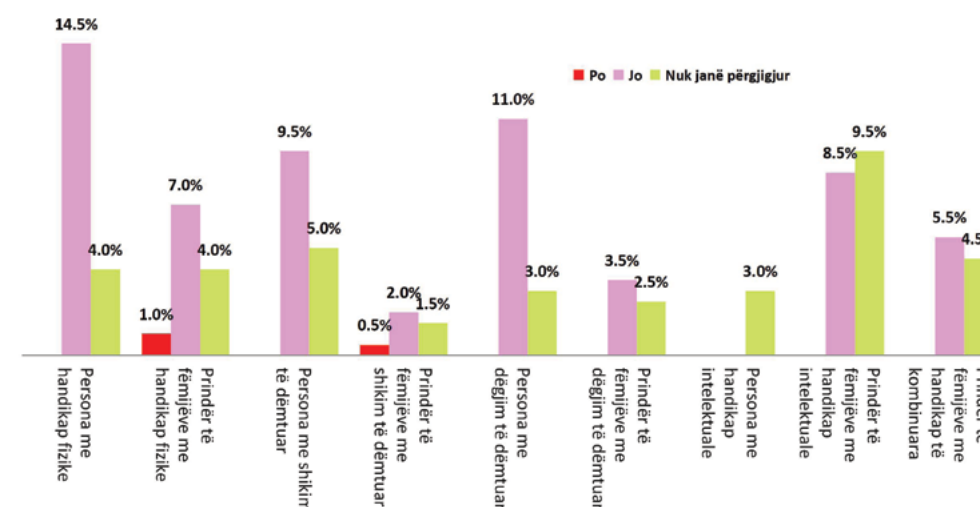
81% of the total numbers of respondents think that the education system does not help in the development of the personality, talents, creativity and abilities of students / children with disabilities. This thinking is shared by 47% of respondents who are persons with disability.

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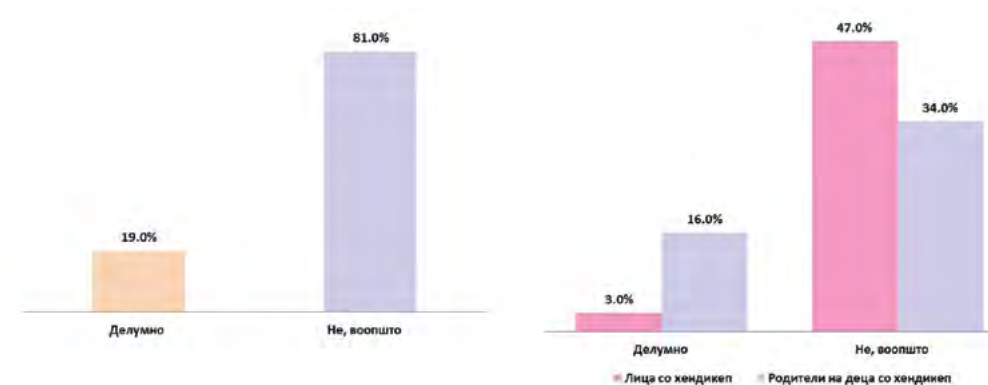
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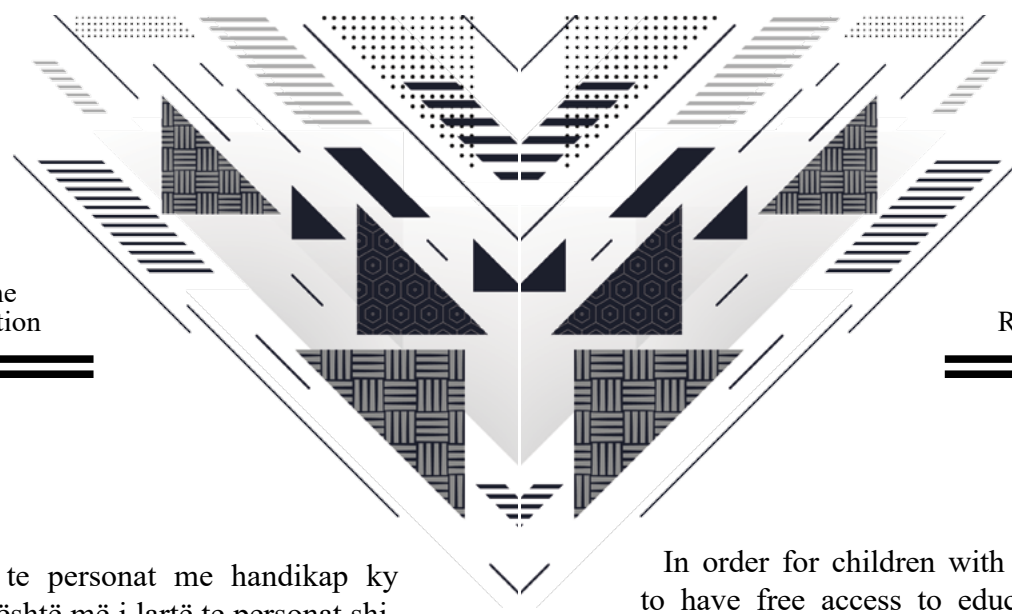
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**Grafiku 15.** Nëse gjatë procesit arsimor ju është siguruar juve/fëmijës tuaj adaptim i duhur?



**Grafiku 16.** A ndihmon sistemi arsimor në zhvillimin e personalitetit, talenteve, kreativitetit dhe aftësitë e nxënësve/fëmijëve me handicap?





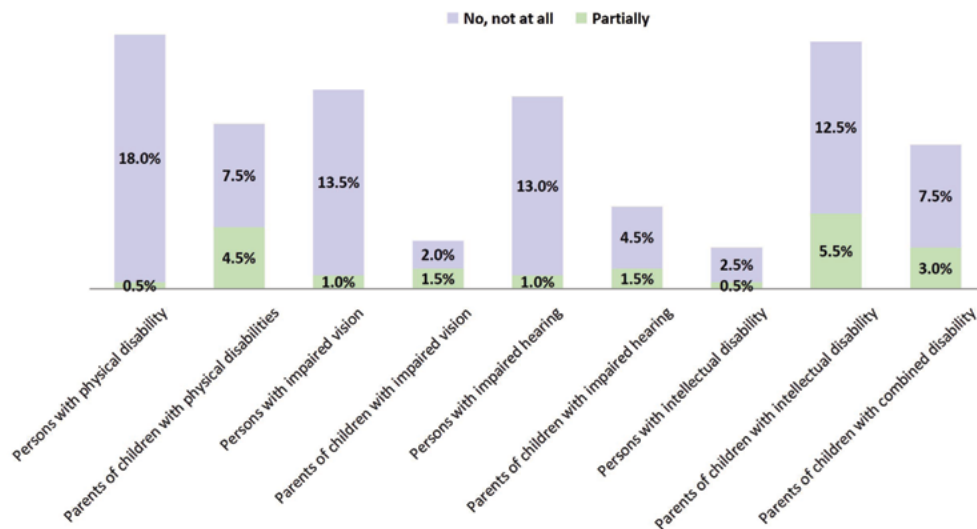
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Në këto të dhëna, prindërit e fëmijëve me handikap kanë më pak mendim negativ në qasjen e sistemit arsimor në zhvillimin e personalitetit, talenteve, kreativitetit dhe aftësive të nxënësve/fëmijëve me handikap - 34%. Është interesant fakti që konsideratat për zhvillimin e pjesëshëm është më i shprehur te prindërit e fëmijëve me handikap fizike (4.5%) dhe te prindërit e fëmijëve me shikim të dëmtuar (1.5%).

**Chart 17.** Does the education system help to develop the personality, talents, creativity and abilities of students / children with disabilities?



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In order for children with disabilities to have free access to educational institutions, fully to participate in educational activities and to increase the level of their educational achievement, the following four prerequisites need to be met: 1) adaptation of the physical environment, such as doors, corridors, lifts and ramps in schools, as well as providing curricula and materials as well as equipment; 2) training and other activities for strengthening the capacities of the teaching staff and the employees in the schools; 3) raising awareness among students, teaching staff and other staff for the needs and conditions in which persons with disabilities live; and 4) providing support systems and assistance.

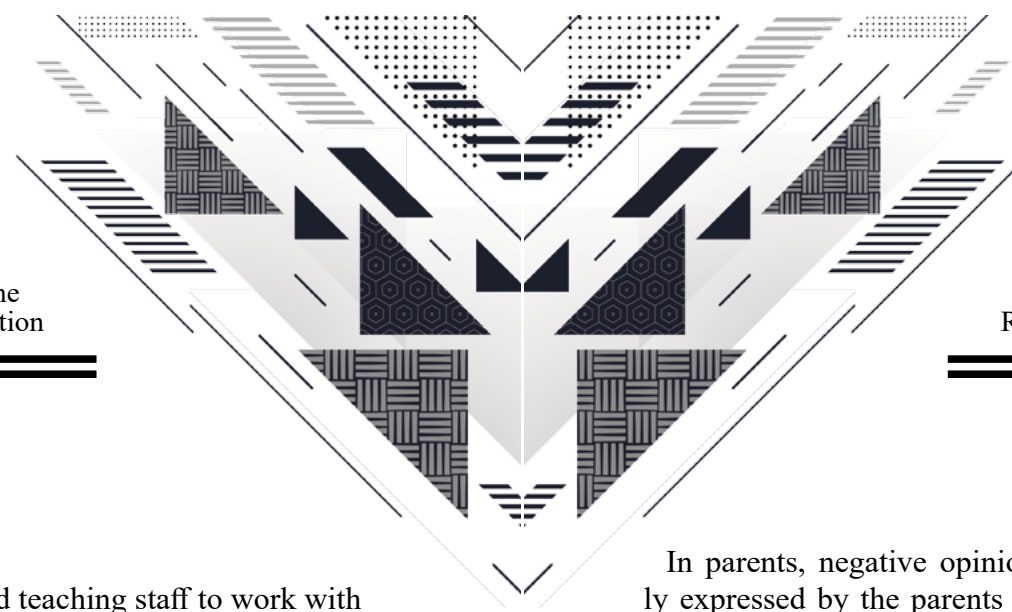
In that direction, the question in Chart 18 “Do schools / kindergartens have trained teaching staff for work with students / children with disabilities?” 64.5% of the respondents indicated that educational institutions do not have trained staff. This opinion is shared by 40% of persons with disability, while much less is the percentage of parents with children with disabilities (24.5%). 27.5% of the respondents consider that there are trained teachers in educational institutions, but it is not sufficient. In this think-

“Inclusion is a good thing, but only for those with mild physical or mental disabilities. Those with more difficult can not work in regular classes. It takes time to devote to all students. Even learning one letter, other kids go ahead. It is not good for the child himself, it feels less worthwhile ... “- a statement by a focus group participant.

“I’m a deaf person. I am an artist without a degree. I finished for a locksmith, because that is what the state gives in the secondary special school. I wanted to write art, but I could not - I was deaf “- a statement by a focus group participant.

ing, there is a big difference between persons with disabilities in relation to parents with disabilities, where 21% of parents consider that they have staff, while that opinion among persons with disabilities is 6.5%.

Observed by the groups themselves, it can be noted that negative responses are greatest among people with physical disability (16%), followed by visually impaired people (12%) and people with hearing impairment (10.5%).

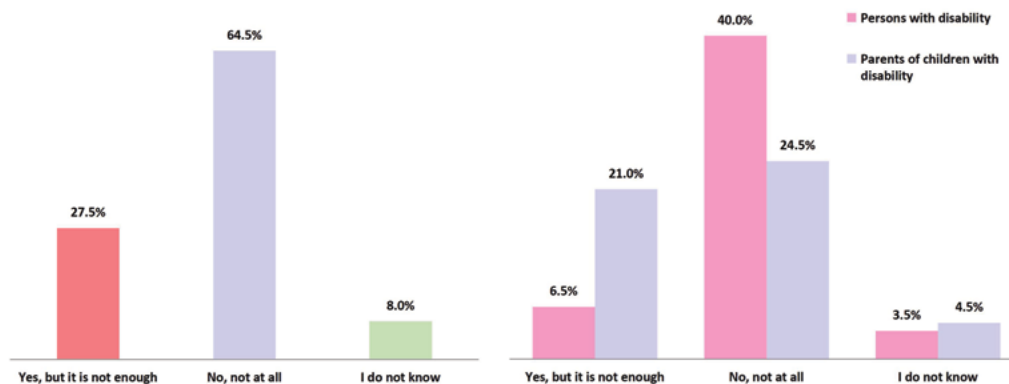


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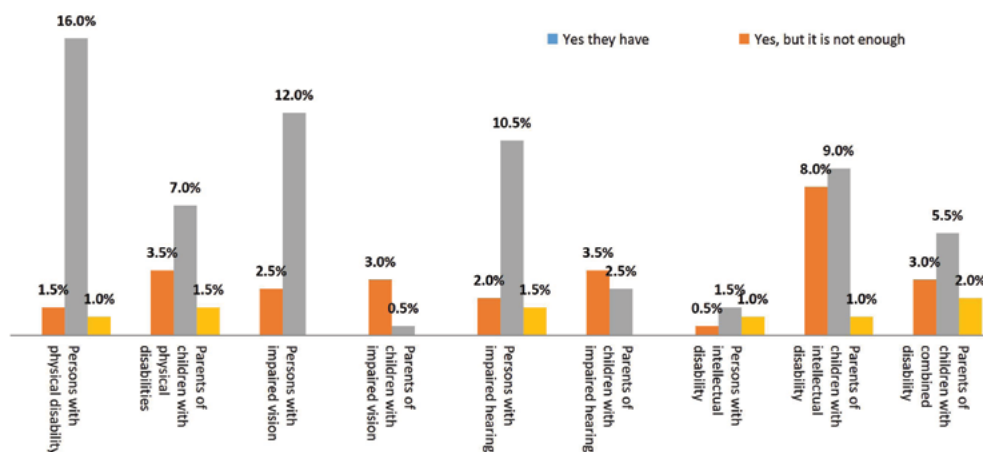
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**Chart 18.** Do schools / kindergartens have trained teaching staff to work with students / children with disabilities?



**Chart 19.** Do schools / kindergartens have trained teaching staff to work with students / children with disabilities?



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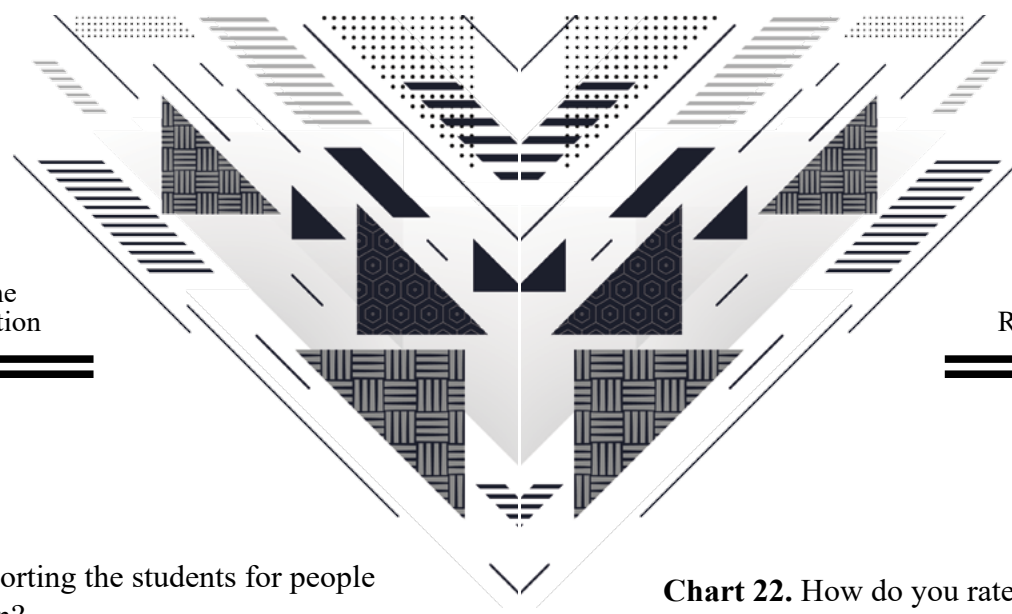
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In parents, negative opinion is mostly expressed by the parents of children with physical disability (7%), followed by the parents of children with intellectual disability (9%). Such considerations are also a sufficient indicator that the state must nevertheless take measures to employ teaching staff, including disability teachers who are qualified for sign language and / or Braille alphabet, and provide training for teaching staff working at all levels of education.

The educational system as a basis must have the assumption that all children can learn and have the potential to be educated. This implies the development of high expectations in terms of learning outcomes for all children. It also implies that the system must identify the specific learning needs of the different children and adapt the teaching practices to specific circumstances in order to meet these needs and to provide all children with appropriate opportunities to study at school, as well as outside. In short, this principle means that states must take into account economic, social, cultural or personal circumstances not to turn into sources of discrimination that would prevent some children from having a quality learning experience on an equal base with others.

“The inclusion of deaf children in the education system has not been realized, mostly depends on the will of individuals, teachers or other staff, they are not working, and their work is not valued. The study of the gestural language in education should become a compulsory subject. For the deaf, the mother tongue is the gestural language. The deaf students are not allowed to interpret the gestural language “- a statement by a focus group participant.

In this regard, the need for providing the necessary support within the educational system is also necessary, with 98% of the respondents believing that the educational system does not have the systems for supporting for students with disability with the aim to gain effective education. (Chart 20). This opinion is shared by 49.5% of persons with disability, in contrast to the parents of children with disabilities, where 48.5% reported that the education system does not have the support systems for students with disabilities aimed at acquiring effective education.

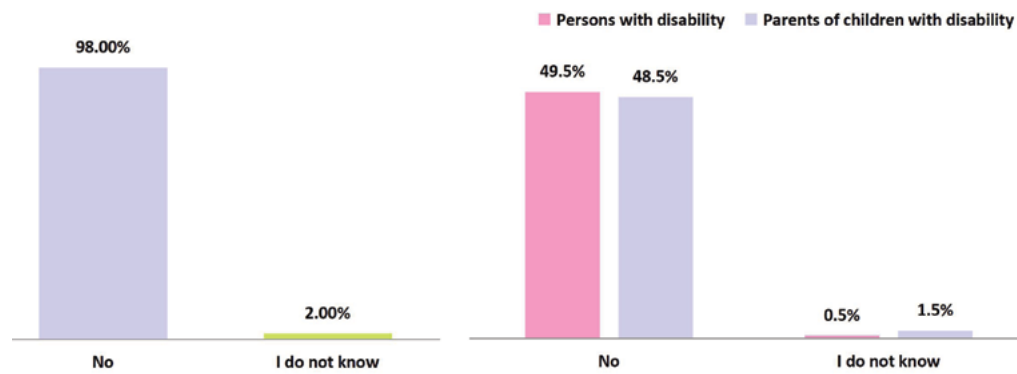


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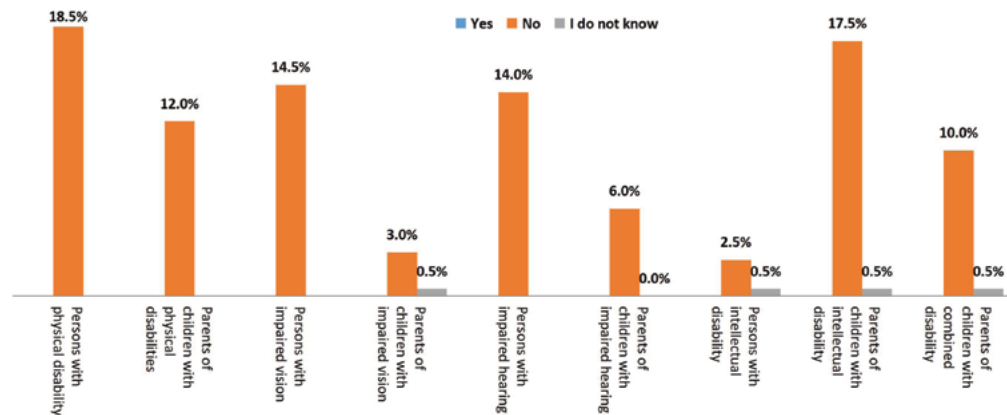
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**Chart 20.** Weather are available systems for supporting the students for people with disabilities with aim to gain effective education?



**Chart 21.** Weather are available systems for supporting the students for people with disabilities with aim to gain effective education?

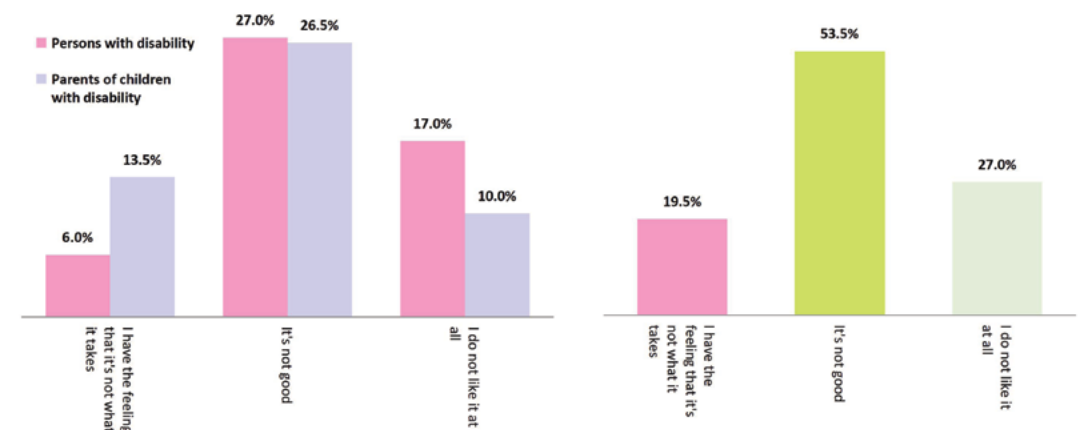


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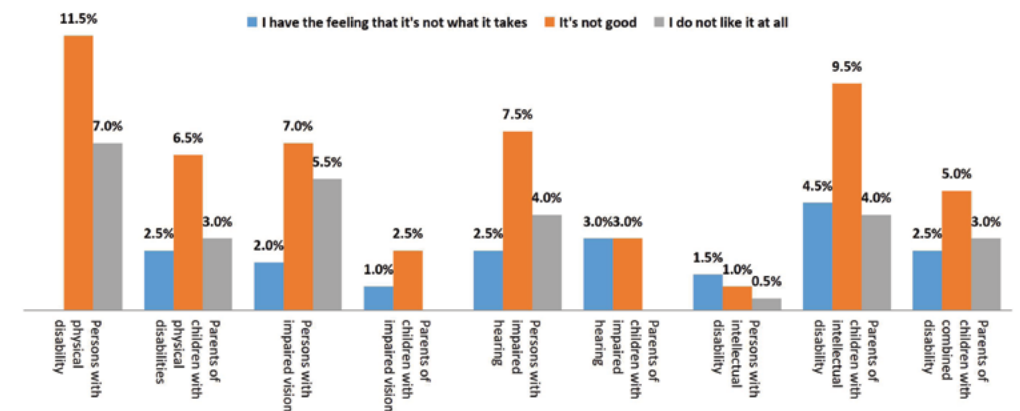
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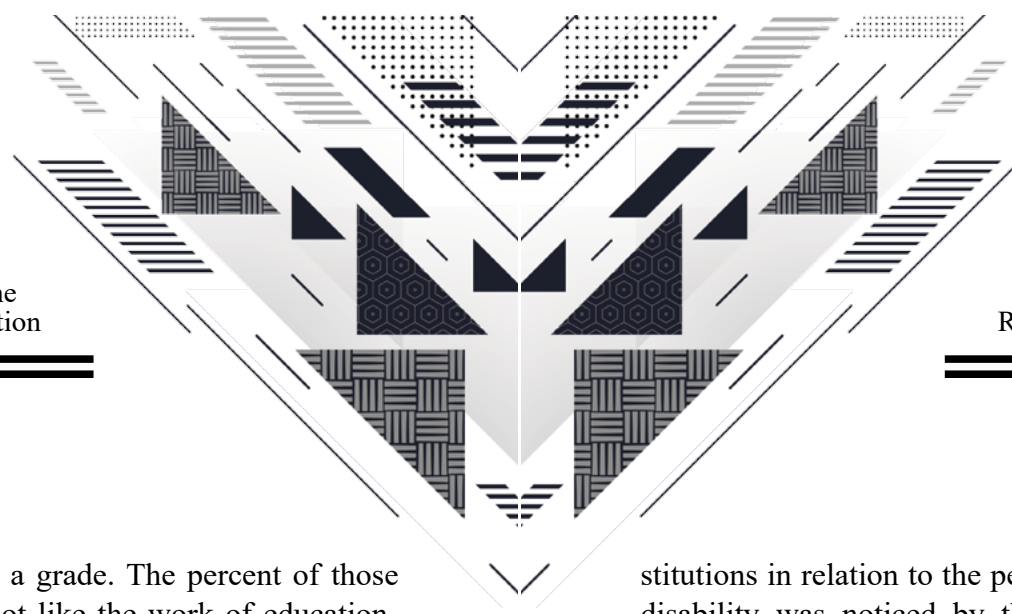
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**Chart 22.** How do you rate the work of educational institutions in relation to persons with disabilities?



**Chart 23.** How do you rate the work of educational institutions in relation to persons with disabilities?





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Regarding this issue, there are no major variations in all community groups. Undoubtedly, persons with disabilities and the parents of children with disabilities are on the same line in terms of the unavailability of support from the state.

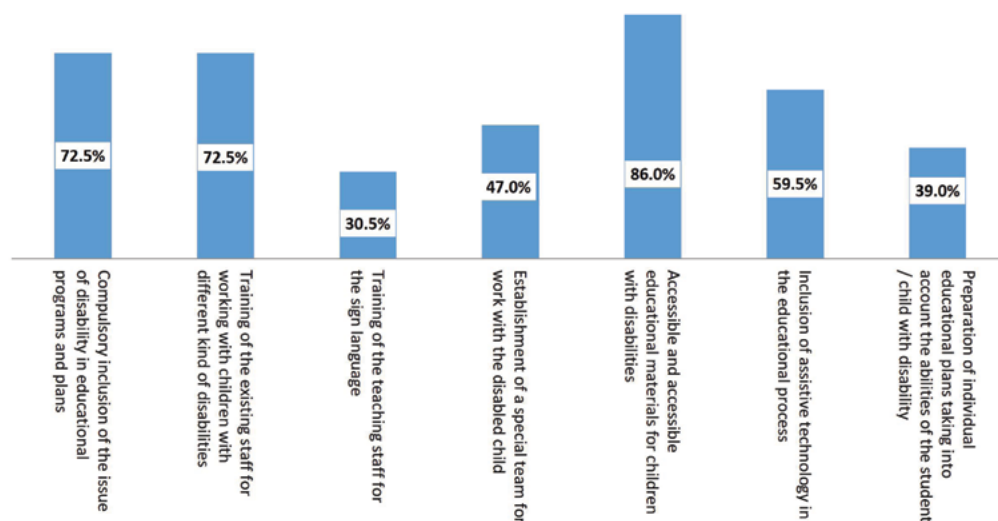
In Chart 22, it can be seen that 53.5% of the respondents think that the work of educational institutions is not good, 27% say they do not like it at all, while 19.5% feel that it is not what is needed.

27% of respondents with disabilities and 26.5% of parents said that “not

good” as a grade. The percent of those that do not like the work of educational institutions in relation to persons with disabilities is more pronounced among the respondents with disabilities (17.5%) compared to the parents of children with disabilities (10%). 13.5% of parents have a “feeling that it’s not what it should be”, which is 6.5% higher than the opinion of the respondents with disabilities (6%).

The biggest percentage of respondents said that the work of the educational in-

**Chart 24.** What would you suggest in schools / kindergartens to improve the inclusion of children with disabilities in the regular education process?



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stitutions in relation to the persons with disability was noticed by the persons with physical disability (11.5%) and the parents of children with intellectual disability (9.5%). Chart 23

The respondents were asked out of the 7 offered answers to choose the ones they would suggest to schools / kindergartens to improve the inclusiveness of children with disabilities in the regular education process.

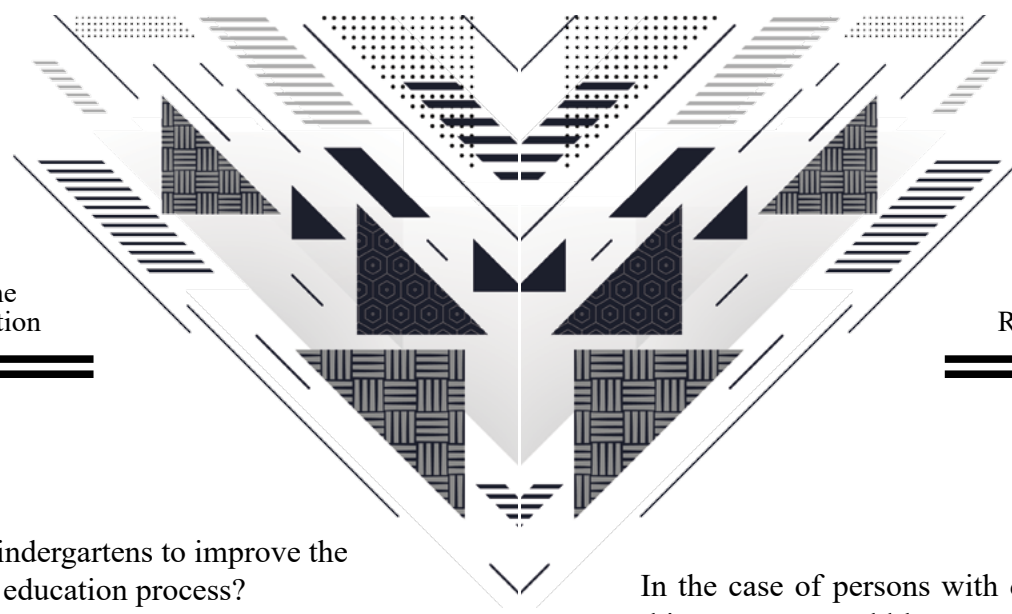
From the given proposals (Chart 24), 86% of the respondents indicated that it is necessary to provide accessible and accessible educational materials for children with disabilities, with 72.5% of the respondents think that mandatory training is needed for the existing educational staff for working with children with a different kind of disability and the mandatory inclusion of the issue of disability in educational curricula.

Only 47% of respondents pointed to the creation of a special team for working with children with disabilities. 39% of the respondents pointed out the individual plans, while only 30, 5% would offer training for the sign language teachers.

“Teachers are not sufficiently trained to work with children with disabilities: inclusive education is not studied to the proper extent at the pedagogical faculties. The available opportunities for professional development of teachers are initiatives of the civil sector, but are systematically solved “- a statement by a focus group participant.

Based on the above answers, major variations can be noticed among the persons and parents of children with disabilities. While 39% of parents would suggest the creation of special teams for working with persons with disability, only 8% of persons with disabilities would suggest it.

In addition, 39% of parents would suggest the development of individual plans, while persons with disabilities would not have suggested it. There are also major variations in the proposed

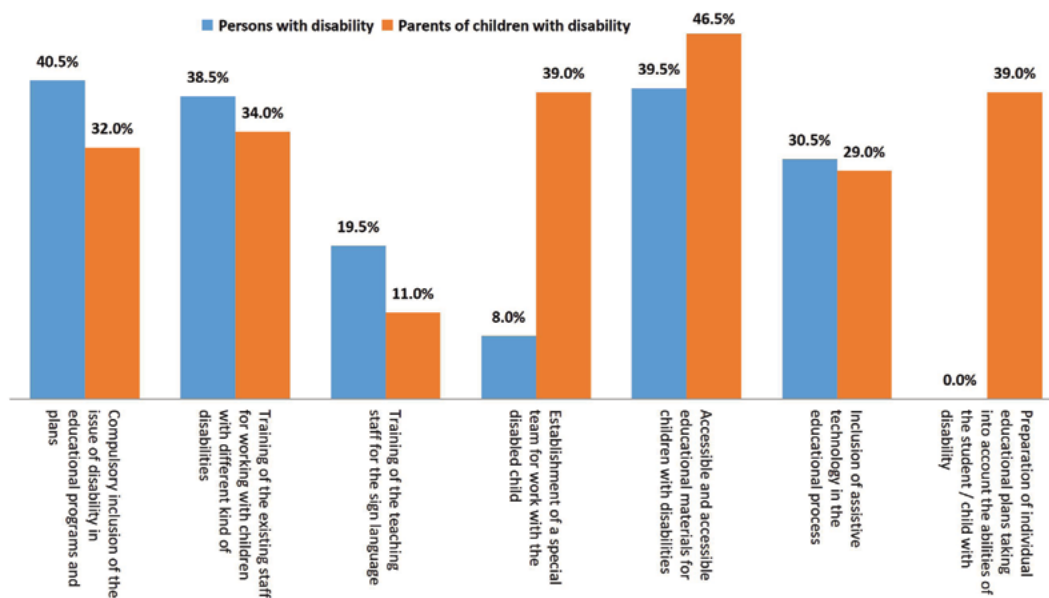


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**Chart 25.** What would you suggest in schools / kindergartens to improve the inclusion of children with disabilities in the regular education process?



measures for including the issue of disability in the educational curriculum, with 40.5% of the persons with disability suggested this measure apart from the parents (32%)

The situation is similar with the introduction of compulsory training for the existing staff, where 38.5% of the persons with disabilities would suggest it as a measure, unlike the parents where only 34% of the respondents would point out. If we look at the community groups

themselves, there will also be some variations there. Namely, the measure for establishing a special team would be proposed by 16% of the parents of children with intellectual disability, then the parents of children with combined disabilities (10.5%) and 5.5% of the parents of children with hearing impairment and speech, the parents of children with physical disability 4.5% and parents of children with a type of care 2.5% would suggest this measure (Table 10).

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In the case of persons with disabilities, this measure would be proposed by 5% of persons with impaired vision, 1.5% of persons with hearing impairment and speech and 1.5% of persons with intellectual disability.

It is indisputable that the right to education for persons with disabilities will not be fully implemented if there is no

obligation for States to take measures for teaching staff, including disabled teachers who are qualified for sign language and / or Braille Letter and yes provide training for teaching staff working at all levels of education.

This training should include raising awareness of the issue of disability and the use of alternative ways, devices and

**Table 10.** What would you suggest in schools / kindergartens to improve the inclusion of children with disabilities in the regular education process?

What would you suggest in schools / kindergartens to improve the inclusiveness of children with disabilities in the regular education process	Persons with physical disability	Persons with visual impairment	Persons with hearing impairment	Persons with intellectual disability	Parents of children with physical disability	Parents of children with visual impairment	Parents of children with hearing impairment	Parents of children with combined disability	Parents of children with intellectual disability
Compulsory inclusion of the issue of disability in educational programs and plans	13,5%	14,0%	11,5%	1,5%	7,5%	2,5%	4,5%	9,0%	8,5%
Training of the existing staff for working with children with different kind of disabilities	15,5%	12,5%	8,0%	2,5%	4,5%	2,5%	3,5%	8,0%	15,5%
Training of the teaching staff for the sign language	5,0%	0,0%	14,5%	0,0%	0,0%	0,0%	6,0%	5,0%	0,0%
Establishment of a special team for work with the disabled child	0,0%	5,0%	1,5%	1,5%	4,5%	2,5%	5,5%	10,5%	16,0%
Accessible and accessible educational materials for children with disabilities	14,5%	9,0%	14,0%	2,0%	8,5%	3,5%	6,0%	10,5%	18,0%
Inclusion of assistive technology in the educational process	12,5%	10,0%	5,5%	2,5%	8,0%	3,5%	1,0%	6,0%	10,5%
Preparation of individual educational plans taking into account the abilities of the student / child with disability	0,0%	0,0%	0,0%	0,0%	8,5%	3,5%	1,0%	10,0%	16,0%

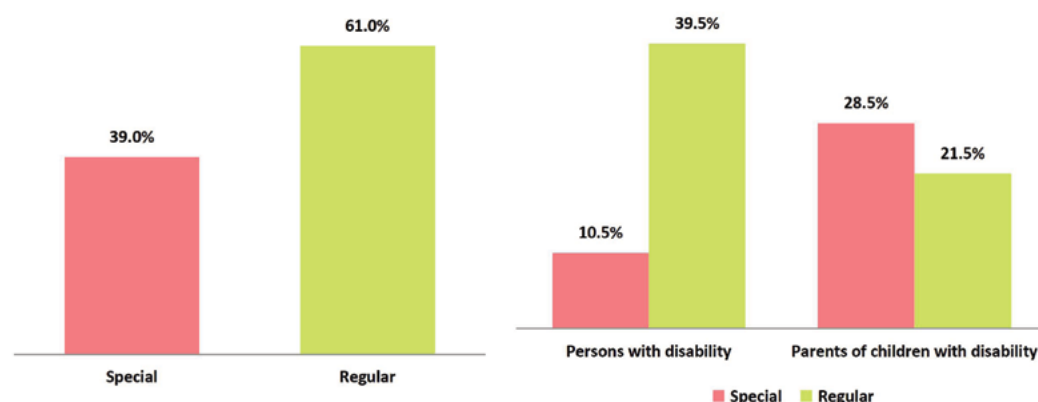


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**Chart 26.** What kind of school should the persons with disabilities visit?



communication formats, educational materials and techniques for supporting persons with disability. In addition, in these draft measures, it is obvious that the persons and parents of children with disabilities do not know the needs of others.

From the analysis, it can be seen that the measure “training of sign language teachers” would be offered only by people with hearing impairment and speech (14, 5) parents of children with hearing impairment and speech (6%), individuals with physical disability (5%) and parents of children with combined disability (5%). The other groups are not

aware that the sign language should be recognized as an official state language.

Due to the large variation in certain measures, the result is that the persons with disabilities are not actively involved in certain processes that are initiated by the state and the parents of children with disabilities. This can also be clearly seen from the different percentage of the individuals and parents of children with disability for the development of individual plans, or the introduction of special teams for working with children with disabilities in education.

It is therefore necessary for the state and educational institutions to include

the persons with disabilities, including children with intellectual disabilities in the creation of all programs, measures or project proposals, even if they are simple and simple, in providing inclusive education.

When asked what kind of school to visit the persons with disabilities 61% of the respondents answered that they should be regular education, while 39% think it should be in special schools.

In addition, in this question there are variations between parents and individuals with disability. Namely, 10.5% of persons with disabilities are in special schools, compared to 28.5% of parents with children with disabilities. 39.5% of persons with disabilities are in regular education, while 28.5% are parents of children with disabilities.

If we look at Chart 27, we will see that 12.5% of parents of children with intellectual disability are special schools. Even 3% of parents of children with physical disabilities consider that their children should go to a special school. Unlike the parents, in the disabled, 1% of the persons with intellectual disability are followed by the percentage, 4.5%

for hearing impaired persons and 5% for the visually impaired.

Such views are an additional indicator that since the ratification of the Convention on the Rights of Persons with Disabilities, the state has not worked to raise public awareness, among the public, parents and the persons with disabilities themselves.

Involvement in regular education is important not only because it provides the best educational environment for students with disabilities, but because it helps in dealing with the stereotypes and prejudices that other students do not have disabilities and the wider public for persons with disability, so in their overcoming.

The goal of special education would only be to prepare students for inclusion in the regular educational process at some future instance, rather than becoming their educational institutions.

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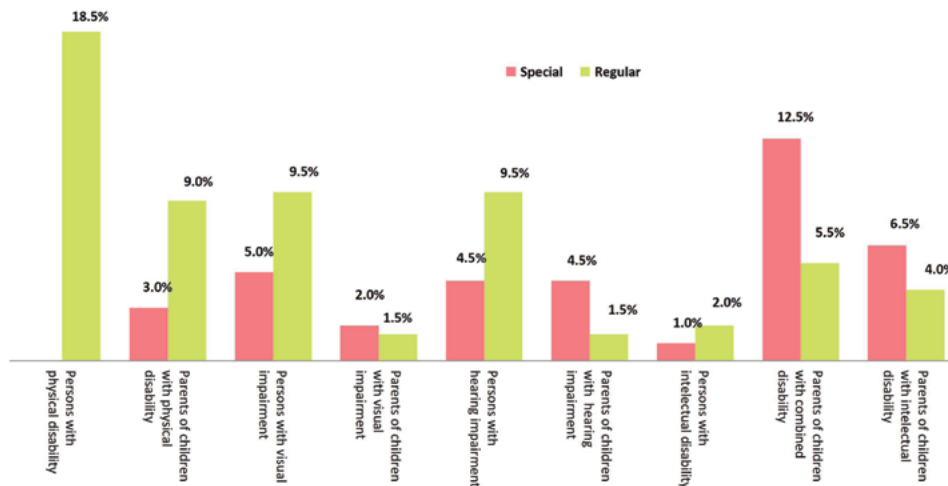


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# CHAPTER III

**Chart 27.** What kind of school should the persons with disabilities visit?



“Parents of children with disabilities should not deny that they have a child with disabilities, because when the child is enrolled in regular education, the results are missing. On the external testing is not allowed escort” - statement of the participant of the focus group.

“In the last decade, secondary education is mandatory, but access is not at all improved. The fact that the secondary has become obligatory should mean an obligation for the state to provide inclusive secondary education. Must not depend on what the school principal is” - a statement by a focus group participant.

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“The assessment of students with disabilities following an individual education plan has not been resolved. Teachers have dilemmas about how to act, most often “slow down,” but this reflects their low expectations “- a statement by a focus group participant.

“Why do the deaf go to regular education - if you come to the high school for the deaf, how will you understand us” - a statement by a focus group participant.

## Conclusions and recommendations



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## Conclusions

- Despite the existence of firmly grounded international standards that prohibit discrimination as well as the obligations arising from the CRPD, national legislation still leaves room for ambiguity regarding the prohibition of school-based segregation based on disability.
- Education legislation does not provide a systematic and complete approach to the realization of the right to education of persons with disabilities without discrimination and on equal base with others, in accordance with the Convention on the Rights of Persons with Disabilities, and there are no effective sanctions in the case of the school segregation on students with disabilities.
- Educational institutions do not have an obligation for appropriate adjustment and they are not responsible for the unjustified failure to do so, which is a serious shortcoming in the fight against discrimination of persons with disabilities and the creation of equal opportunities. According to the survey, 85.5% of persons with disabilities and parents of children with disabilities consider that schools are not at all accessible to persons with disability; 86% of respondents point out that educational material should be accessible.
- The existing system of higher education, vocational training, adult education and lifelong learning do not include disability and do not offer opportunities for more active inclusion of persons with disabilities. According to the survey, 72.5% of the respondents (persons with disabilities and parents of children with disabilities) consider that they do not have equal opportunities for access to higher education, vocational training, adult education and lifelong learning without discrimination on equal base with the rest.





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# Conclusions

- Institutions often make decisions about education planning without having social inclusion as a goal and without involving organizations of persons with disability, children themselves and students with disabilities. For example, the decision to open or maintain specific schools, or decisions to open new classes in particular schools, is often adopted without taking into account the needs of children with disabilities for inclusive education. According to the survey, 42% of persons with disability and parents consider that there should be special teams for working with persons / children with disabilities in the education system, 39% of the parents of children with disabilities think that they need to have individual plans, while persons with disabilities consider that there is no need for them.
- Teachers often feel themselves inadequately prepared to teach children with disabilities. The necessary competencies for effective practice are not developed systematically and adequate support is not provided in the education system.
- The existence of a segregated education system for children with disabilities does not provide higher quality education and reduce the disability for children with disabilities, and additionally, it does not allow the development of individual capacities, talents and abilities of persons with disability. According to the survey, 61% of the respondents believe that students with disabilities should go to regular education.
- Non-action to ensure quality of education equally in all schools feeds the vicious circle of lower quality of education, especially in special and special departments for children with disabilities, with the educational system having low or no expectations from children with disabilities.
- One of the main obstacles for discrimination against children with disabilities in the education system is the lack of collective awareness of the importance of inclusive education for social cohesion and the creation of a society where children with disabilities will have equal opportunities for children with disabilities.

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# Conclusions

- Persons with disabilities and organizations of persons with disabilities are not actively involved in the creation of the education system, nor in the policies and projects that are being initiated in this area.
- The assessment of the entry of children with disabilities in the education system is done on medical - special education and rehabilitation grounds, which constitutes a serious obstacle for more active inclusion of persons with disabilities in the education system at all levels.
- Educational institutions at all levels do not stimulate inclusion of persons with disability in policy making, as well as active involvement of organizations of persons with disabilities, disabled persons or children with disabilities.
- Practice shows that the state does not undertake sufficient efforts to implement fully the obligations undertaken with the ratification of the Convention on the Rights of Persons with Disabilities and significant improvement is needed in order effectively to realize the rights of persons with disabilities.
- From the findings of the survey, it is concluded that most of the persons with disability and the parents of children with disabilities do not know their rights / rights to their children with disabilities, and their interpretation most often relates to the medical approach of seeing the disability situation. Likewise, persons with disabilities and the parents of children with disabilities have a low level of knowledge about the existing institutional infrastructure for their rights.



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# Recommendations

- National legislation in the field of education should be fully reformed in order to fully comply with the Convention on the Rights of Persons with Disabilities and apply to both public and private educational institutions.
- The prohibition of discrimination as well as the appropriate disability adjustment should be clearly laid down in the legal framework at all levels, and the same should apply to enrollment and enrollment requirements for students in the respective educational institution; the access of students to any subject, institution or benefit envisaged by the educational institution concerned; any other requirement or criterion for the student's participation in the teaching; or writing off a student from an educational institution; or any other sanction taken against the student.
- It is essential to develop a comprehensive system for assessing the educational needs of students with disabilities. Such a system should be independent of schools, and the state involving professionals and professionals with disabilities should carefully and regularly monitor their work. Individual educational plans for persons with disabilities should be adapted and created according to the needs of the child and by actively involving persons and children with disabilities in all processes.
- An urgent reform of curricula is needed where the obligation to prepare them in accessible formats will be clearly stipulated, as well as compulsory entry into the subject of disability, and at the Pedagogical Faculty new profiles will be created for support and work with students with disabilities , such as educational assistants.
- The role and responsibilities of professionals from the school services must be redefined in order to provide adequate support for teachers and students. Their place is in the classroom where they will actively participate in the teaching of students.

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# Recommendations

- An urgent reform of the Law on textbooks is required, with a clear prescription of the obligation for their preparation in accessible formats.
- An appropriate regulatory framework is necessary to avoid the high concentration of children with disabilities in special schools, as well as measures by which some of these schools will be closed, and some will be reformed in transition centers from special to regular education.
- Active policies are needed to determine the educational needs and enable the inclusion of students with disabilities who are later included in the education system, especially adults with disabilities who due to a variety of circumstances were not included in the education. Measures for inclusion of students with disabilities located in institutions and health institutions are necessary.
- It is necessary to develop support services in educational institutions with the active involvement of persons with disability.
- Legal and structural change is needed in the Center for Vocational Education, which will include disabled people.
- For legislation to have the desired effect for this group of citizens, it should be accompanied by other additional measures such as raising public awareness, building the capacities of the responsible institutions and a detailed analysis of legislation and policies and their proper promotion.
- Change and recognition of the sign language as an official language and obligation to study it in schools.
- Introduce policies and measures for continuous campaigns to change the mentality at the community level. It is crucial that society as a whole, decision-makers and all stakeholders involved in the field of education fully understand the need to change this paradigm.



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# Recommendations

- Introducing an obligation for compulsory involvement of the organizations of persons with disabilities and individuals with disabilities, as well as the children with disabilities taking into account all forms of disability and gender balance in the creation of all programs, measures or proposed activities, whether they are the simplest and most ordinary activities in the process of providing inclusive education.
- Raising awareness among persons with disabilities and the parents of children with disabilities for the Convention on the Rights of Persons with Disabilities, their rights and obligations of the state undertaken with the ratification of the Convention.
- It is recommended from the findings of the survey that it is necessary to increase the capacity of the organizations of persons with disabilities to represent and participate in the adoption of policies that affect the persons with disabilities.

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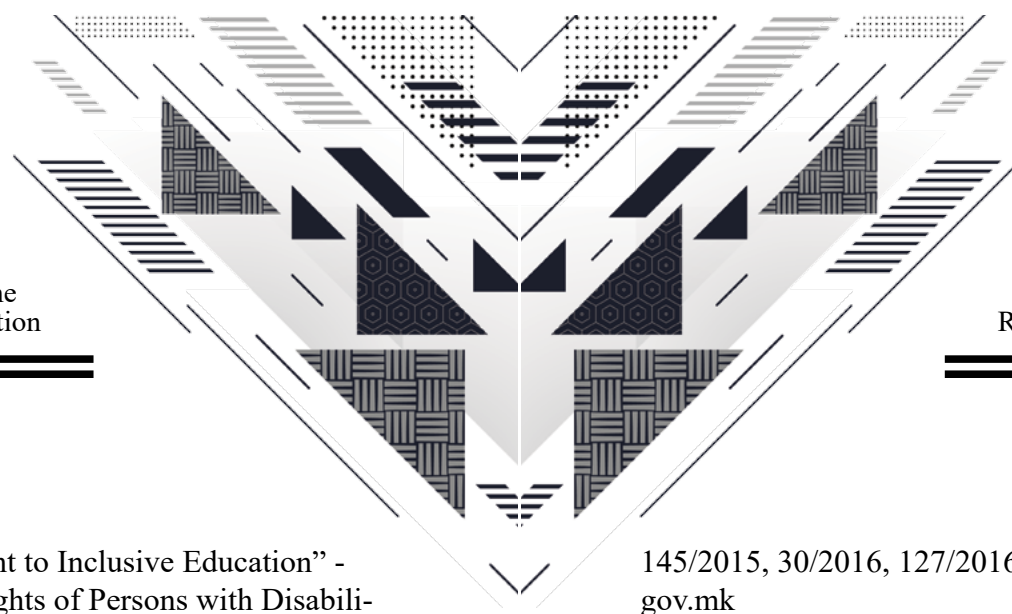
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## **Polio Plus – movement against disability**

Polio Plus is Macedonian, multiethnic, multi-confessional civic organization of people with and without disability which works on re-connection and establishment of essential relationships and full recognition of basic human rights and fundamental freedoms of people with disabilities.

Our mission is to increase the self-esteem of people with disabilities and to design a society with equal opportunities for all.

We are accomplishing our mission through advocacy and lobbying for legislative changes and improvement, education, employment and independent living, as well as awareness rising, promoting creativity and contribution to the society of the people with disabilities.

“Polio Plus doesn’t travel alone”. We are accomplishing our mission together with all stakeholders into society.

### **Contact**

Polio Plus – movement against disability

Blvs. Avnoj 64 local 2

1000 Skopje Macedonia

Telephone / Faks : +389 2 2400 544

E - mail: [polioplus@polioplus.org.mk](mailto:polioplus@polioplus.org.mk)



# MARGINA OBSCURA

## THE ISSUE OF DISABILITY IN EU ACCESSION



Agency for Cooperation, Education and Development



**Polio Plus**  
movement against disability