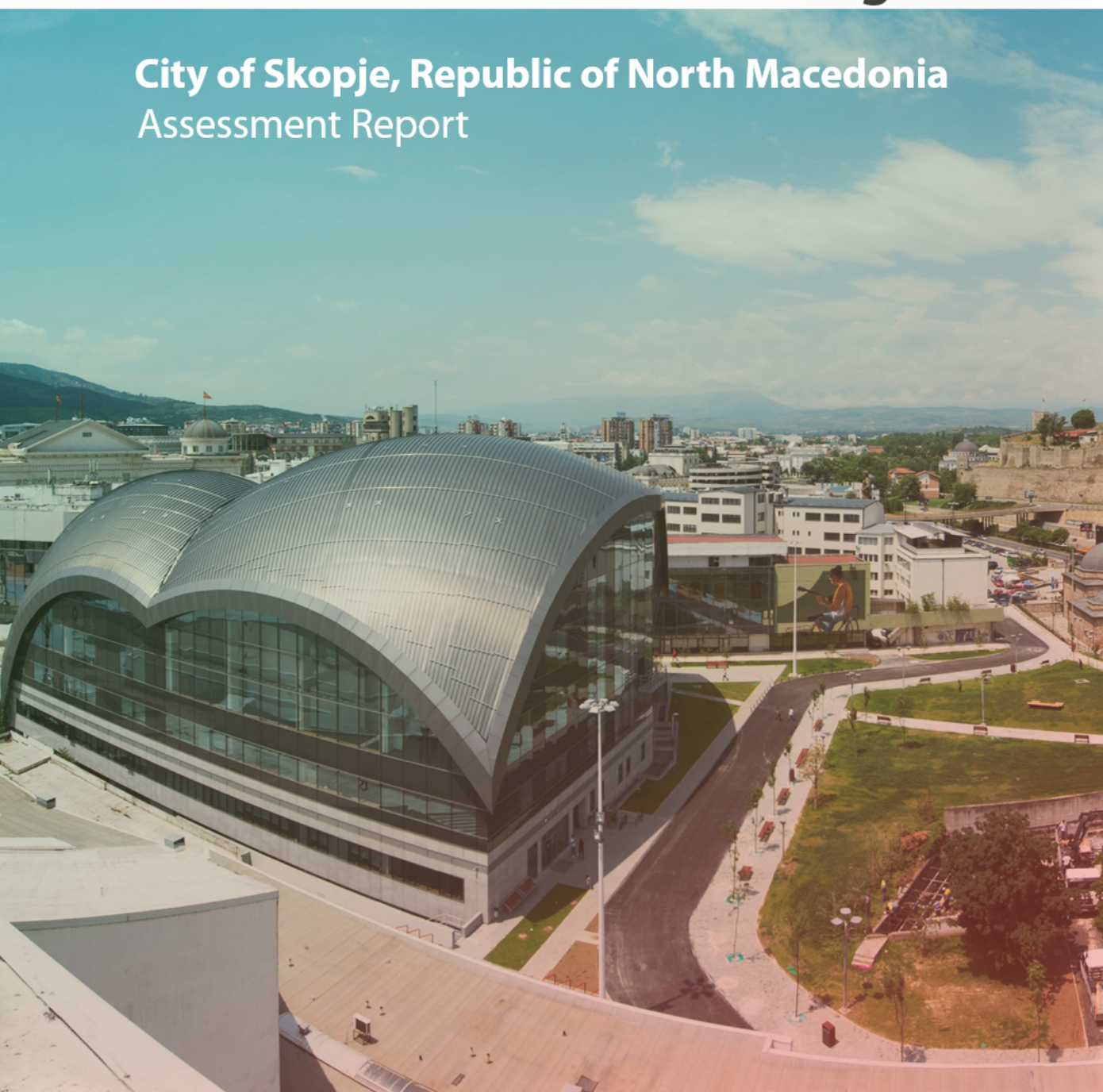


UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

Post COVID-19 Recovery for Informal Settlements in the UNECE region

City of Skopje, Republic of North Macedonia
Assessment Report



UNITED NATIONS

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ACKNOWLEDGMENT

This Report has been prepared by Mr. Mirsat Esati, under the supervision of the Urban Research Institute in Tirana, Albania.

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LIST OF ABBREVIATIONS AND ACRONYMS

LSGU - Local Self Government Units

SSO - State Statistical Office

MTC - Ministry of Transport and Communication

AREC – Agency for Real Estate Cadaster

1. INTRODUCTION

The project “Post COVID-19 Recovery in Informal Settlements in the ECE Region” aims to strengthen the capacity of national and local governments in UNECE countries to address the needs of the most vulnerable people living in informal settlements. This would enhance socio-economic recovery following the pandemic and contribute to urban resilience in participating cities and countries. It will also build the capacity of national and local authorities in the four pilot countries for developing recovery plans and upgrade informal settlements.

The project will result in the development of a Post COVID-19 Recovery Action Plan for Informal Settlements in the ECE region. It will also make recommendations for the four pilot cities to upgrade informal settlements, and support their recovery from the COVID-19 pandemic.

The COVID-19 pandemic hit the most vulnerable people the hardest. This includes those living in informal settlements in the ECE region, especially women, old people, young people, and migrants. Informal settlements are particularly vulnerable to the impact of disease outbreaks, as they lack the disease monitoring and containment data needed for a useful policy response. This missing data include number of people per household, their access to healthcare facilities and basic services, and their means of employment and work stability, which could indicate the ability to enforce a quarantine. Urgent action is needed to enable residents to stay safe and healthy and thus increase resilience to future pandemics and natural disasters.

The UN Framework for the Immediate Socio-Economic Response to COVID-19 states that “The crisis will exacerbate inequalities especially in vulnerable settings and fragile locations such as informal settlements and slums, which are already underserved by social services, and where information and strategies such as testing, hand-washing, self-isolation and quarantine will be particularly difficult due to lack of space, water, resources and services.”

Post COVID-19 recovery plans should prioritize informal settlements. Most importantly, they should legalize informal buildings. Integrating informal constructions into formal land markets provides clear ownership and security of tenure, thereby giving residents economic security via access to credits and mortgages. Furthermore, security of tenure encourages residents to invest in their homes. Formalization not only increases security of tenure and ownership rights but also protects and promotes human rights. The newly formalized settlements should then be upgraded and connected with basic services and infrastructure to ensure access to adequate sanitation and facilities to safeguard residents against future pandemics. They should then be made liveable – energy efficient, healthy, with well-planned urban spaces, accessible services and good transport links.

1. COUNTRY INFORMATION

General country information

The Republic of North Macedonia is part of the European continent, located in the heart of the Balkan Peninsula. It borders two EU member states, Greece to the south and Bulgaria to the east, as well as Serbia and Kosovo to the north, and Albania to the west.

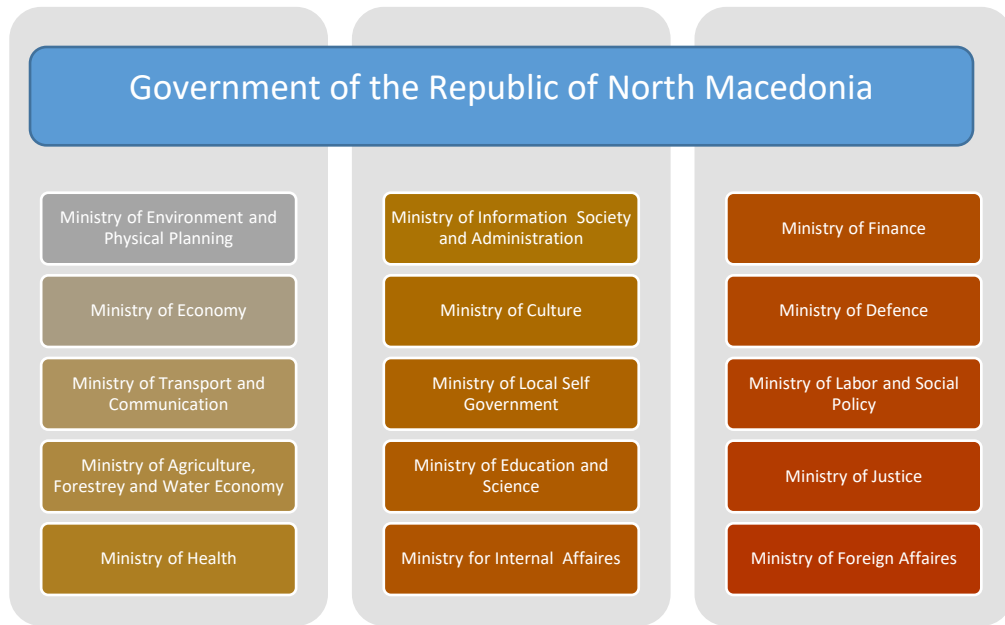
The country declared independence on the 8 of September 1991 after the division of SFR Yugoslavia. North Macedonia aims for full membership of the European Union. Currently they have Candidate country status for EU accession, and are expecting to soon start accession negotiations. Here is some general information about the Republic:



Population	2,022.547 (census from 2002)
Territory	25,713 km ²
Density	80.1/km ²
Constitutional regulation	Parliamentary republic
Currency	Macedonian denar (MKD)
Capital city	Skopje
Planning regions	8
No. of municipalities	80
Number of cities	34 cities
Number of villages	1,749 villages
Number of settlements	1,783 settlements

North Macedonia is a Parliamentary republic with the Parliament (*Assembly of the Republic of North Macedonia*) as the legislative body. Its main function is to create, propose and adopt laws. The 120 Parliament members are elected for a mandate of four years through general parliamentary elections.

The Government of the Republic of North Macedonia, whose prime minister is Head of the Government, exercises the executive power. The members of the government are chosen by the Prime Minister and elected by Parliament for four years. The Law on the organization and operation of state administration bodies („Official Gazette of Republic of Macedonia" no. 58/2000) sets forth the organization, competencies and work of state administration bodies including the ministries as constitutive bodies of the Government. State administration bodies are established in different areas, vital for performing state functions and efficiently promoting rights and duties of citizens and legal entities. Currently, according to this law, 15 ministries cover areas such as transport and communication, environment protection, economy, finance, information technology, society, internal affairs and foreign affairs. The chart below presents shows how the ministries are organized:



Local Self Government Units (LSGU) have executive authority locally. The country is divided into 80 municipalities, with the city of Skopje as a separate entity with ten municipalities. Since 2003, as result of the decentralization process, LSGU role and competencies have greatly expanded. Currently local authorities oversee urban planning, legal status of illegal constructions, environment protection, local economic development, water management, communal activities and firefighting.

As a result of the country's decentralization process, many competences are shared between central government ministries, agencies and directorates, and LSGU municipalities, Skopje municipalities, and the Skopje itself. This is true of urban planning, and therefore of illegal constructions. Point 4 of this Report clarifies institutional responsibilities.

Informal buildings, situation in the Republic of North Macedonia

During transition, the Republic of North Macedonia faced many different challenges. Urban development a challenge directly affected by the informal construction. The State Statistical Office (SSO) annually calculates the number of illegally built constructions registered. Illegal constructions are defined as buildings on which construction and installation of works has been performed in their entirety without or contrary to a building permit.

The table below shows annual illegal construction, well as the share per type of building.

Table 1: Illegally build constructions as per SSO data in the period 2009-2019

Year	Number of illegally built constructions	Type of building	Ownership
2019	886	<ul style="list-style-type: none"> ✓ Housing units (18.5 %) ✓ Extensions, alterations and adaptation (10.9%) ✓ Business buildings (6.4%) ✓ Garages (7.4%) ✓ Fences (22.6%) 	Mostly private (98.4%)



		<ul style="list-style-type: none"> ✓ Stairs (1.6%) ✓ Terraces (3.1%) ✓ Summer terraces (5.3%) ✓ Canopies (10.6%) ✓ Temporary structures (1.6%) ✓ Auxiliary structures (12%) 	
2018	955	<ul style="list-style-type: none"> ✓ Housing units (26.1 %) ✓ Extensions, alterations and adaptation (13.9%) ✓ Business buildings (11.9%) ✓ Garages (8.2%) ✓ Fences (14 %) ✓ Stairs (0.6%) ✓ Terraces (1.6%) ✓ Summer terraces (2.9%) ✓ Canopies (9.9%) ✓ Temporary structures (1.4%) ✓ Auxiliary structures (9.5 %) 	Mostly private (98.1 %)
2017	762	<ul style="list-style-type: none"> ✓ Housing units (18.1 %) ✓ Extensions, alterations and adaptation (16 %) ✓ Business buildings (10.2%) ✓ Garages (7 %) ✓ Fences (16.8 %) ✓ Stairs (1.3 %) ✓ Terraces (2 %) ✓ Summer terraces (3.1 %) ✓ Canopies (8.5 %) ✓ Temporary structures (4.5%) ✓ Auxiliary structures (12.5 %) 	Mostly private (95.5 %)
2016	1037	<ul style="list-style-type: none"> ✓ Housing units (19.6 %) ✓ Extensions, alterations and adaptation (16.8 %) ✓ Business buildings (10.7%) ✓ Garages (10.3 %) ✓ Fences (16.2 %) ✓ Stairs (0.8 %) ✓ Terraces (2.5 %) ✓ Summer terraces (1 %) ✓ Canopies (8.4 %) ✓ Temporary structures (3.5%) ✓ Auxiliary structures (10.3 %) 	Mostly private (97.6 %)
2015	1061	<ul style="list-style-type: none"> ✓ Housing units (21.9 %) ✓ Extensions, alterations and adaptation (15.4 %) ✓ Business buildings (9.8%) ✓ Garages (7.7 %) ✓ Fences (15.5 %) ✓ Stairs (1.7 %) ✓ Terraces (2.5 %) ✓ Summer terraces (1 %) ✓ Canopies (7.4 %) ✓ Temporary structures (5.2%) ✓ Auxiliary structures (12.1 %) 	Mostly private (98.4 %)



2014	1075	<ul style="list-style-type: none"> ✓ Housing units – 18.2 % ✓ Extensions, alterations and adaptation (16.4 %) ✓ Business buildings (6.9%) ✓ Garages (7.4 %) ✓ Fences (13.5 %) ✓ Stairs (1.1 %) ✓ Terraces (4.2 %) ✓ Summer terraces (0.7 %) ✓ Canopies (9.5 %) ✓ Temporary structures (9.4%) ✓ Auxiliary structures (12.7 %) 	Mostly private (97.5 %)
2013	1275	<ul style="list-style-type: none"> ✓ Housing units (19.4 %) ✓ Extensions, alterations and adaptation (13.6 %) ✓ Business buildings (8.5%) ✓ Garages (7.8 %) ✓ Fences (15.8 %) ✓ Stairs (1.0 %) ✓ Terraces (4.5 %) ✓ Summer terraces (0.9 %) ✓ Canopies (8.2 %) ✓ Temporary structures (9.9%) ✓ Auxiliary structures (10.4 %) 	Mostly private (98.3 %)
2012	1403	<ul style="list-style-type: none"> ✓ Housing units (15.3 %) ✓ Extensions, alterations and adaptation (14.8 %) ✓ Business buildings (10.5%) ✓ Garages (11.6 %) ✓ Fences (15.3 %) ✓ Stairs (0.9 %) ✓ Terraces (2.4 %) ✓ Summer terraces (3.4 %) ✓ Canopies (7.6 %) ✓ Temporary structures (8.2%) ✓ Auxiliary structures (9.8 %) 	Mostly private (94.5 %)
2011	1412	<ul style="list-style-type: none"> ✓ Housing units (26.1 %) ✓ Extensions, alterations and adaptation (21.5 %) ✓ Business buildings (11.5%) ✓ Garages (5.9 %) ✓ Fences (9.7 %) ✓ Stairs (1 %) ✓ Terraces (2.6 %) ✓ Summer terraces (0.3 %) ✓ Canopies (5.5 %) ✓ Temporary structures (8.7%) ✓ Auxiliary structures (7.2 %) 	Mostly private (97.5 %)
2010	1630	<ul style="list-style-type: none"> ✓ Housing units (41.3 %) ✓ Extensions (24.2 %) ✓ Garages (16.5 %) ✓ Fences (13.1 %) ✓ Terraces (4.0 %) ✓ Stair (0.9%) 	Mostly private (97.5 %)

2009	1818	<ul style="list-style-type: none"> ✓ Housing units (40.4 %) ✓ Extensions (35.1 %) ✓ Garages (8.8 %) ✓ Fences (11.4 %) ✓ Terraces (3.1 %) ✓ Stair (1.2%) 	Mostly private (97.5 %)
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The table shows a clear decline in illegal construction: compared to 2009, illegally-constructed buildings decreased by approximately 50 per cent in 2019. More detailed statistical data for illegally build constructions for 2009-2019 are in Annex II of this Report.

Determination of legal status of illegally build constructions - state of play

To deal with this challenge to urban development, in 2011 Parliament adopted a Law on treatment of unlawful constructions. The detailed scope of the legal framework, procedures and institutions in charge are presented under Points 4, 5 and 7 of this Report.

According to this Law, LSGUs and the Ministry of transport and communication (MTC) keep records of requests for determination of legal status of illegal constructions. Within 15 days from the deadline for submission of a legal status request from the owner, LSGUs must submit a copy of the register to the MTC.

According to MTC website publications from 2011, 360,000 requests for determination of legal status of illegal constructions have been submitted. With the extension of deadline for request submission, by April 2016 an additional 80,000 requests were submitted. From the beginning of the process until April 2016, 147,000 unlawful constructions received legal status¹.

Clearly, not all illegally built constructions received legal status during this period. Illegal constructions will remain a challenge for urban development. To tackle this, a new law has been announced by the MTC.

2. CITY INFORMATION

City of Skopje, general background

Skopje is the capital city of the Republic of North Macedonia. It is in the north part of the country, approximately 245m above sea level and covers about 570 km².

Unlike other municipalities in the country, the city of Skopje has a special form of self-government, regulated by a special Law. As part of this, Skopje has ten municipalities:

1. Aerodrom
2. Butel
3. Gazi Baba

¹ Data from MTC web site publication. Available on [Министерство за Транспорт и Врски \(mtc.gov.mk\)](http://mtc.gov.mk)

4. Gorche Petrov
5. Karpos
6. Kisela Voda
7. Saraj
8. Centar
9. Chair
10. Shuto Orizari

According to the 2002 census, Skopje had a population of 506,926 inhabitants. The table below show the total population, households and dwellings in the City of Skopje based on this.

Table 2: Number of population, households and dwellings in the City of Skopje, based on 2002 census.

Municipality	Total population	Households	Dwellings (all type of living quarters)
Skopje	506,926	146566	163748
Aerodrom	72,009	21,495	23,754
Butel	36,154	10,056	11,077
Gazi Baba	72,617	20,336	22,815
Gjorche Petrov	41,634	11,886	13,938
Karposh	59,666	19,680	22,849
Kisela Voda	57,236	17,577	20,237
Saraj	35,408	7,972	7,837
Centar	45,412	15,355	18,848
Chair	64,773	17,107	17,127
Shuto Orizari	22,017	5,102	5,263

Unofficial information has provided evidence that the population of Skopje has increased in recent years due to migration from other cities. The next official census is planned for 2021.

The Law on the city of Skopje includes regulation of its organization, competencies, the financing of the city and its municipalities, and the cooperation between them. Competences are clearly split between the city and its municipalities. Concerning urban planning, these are:

- **City of Skopje**
 - ✓ adoption of a spatial plan of the city of Skopje
 - ✓ adoption of a general urban plan of the city of Skopje
 - ✓ providing opinion on proposed detailed urban plans, urban projects and urban plans for settlements prepared by municipalities in the city of Skopje
 - ✓ arrangement of construction land
 - ✓ setting standards and giving consent for temporary facilities, street furniture and urban equipment in the city of Skopje

- **Municipalities in the City of Skopje**
 - ✓ initiating initiatives for adoption, amendment and supplementation of the spatial plan and general urban plan of the city of Skopje
 - ✓ providing opinions on the drafts of the spatial plan and the general urban plan of the city of Skopje

- ✓ adopting detailed urban plans, urban projects and urban plans for settlements within the municipality
- ✓ implementation of urban plans and projects and issuance of documentation for construction of facilities of local importance: these include conditions for construction, urban consent and building permits
- ✓ issuing approvals for installation of temporary facilities, street furniture and urban equipment
- ✓ arrangement of construction land, equipping it with facilities and installations from secondary infrastructure

The split of competences is provided in other areas like environment, local economic development, communal issues, culture and education. Since urban planning is of interest for the Report, details are provided only for this.

Informal buildings in the City of Skopje

As well as at the country level, the SSO also collects data for informal construction at the municipality level. The table below provides statistical data for constructions in the City of Skopje from 2009-2019.

Table 3: Illegal constructions in the City of Skopje as per SSO data in the period 2009-2019

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
<i>Aerodrom</i>	52	93	88	121	81	21	40	-	13	14	-
<i>Butel</i>	44	57	62	31	56	38	47	36	37	45	37
<i>Gazi Baba</i>	77	12	23	31	20	22	27	37	12	35	-
<i>Gorche Petrov</i>	51	55	28	35	51	23	49	22	6	19	39
<i>Karpos</i>	96	93	79	131	107	91	18	32	39	3	
<i>Kisela Voda</i>	39	92	57	50	47	15	22	24	16	18	22
<i>Saraj</i>	34	57	16	7	8	7	8	3	-	-	-
<i>Centar</i>	65	43	104	119	46	14	30	37	23	71	-
<i>Chair</i>	203	137	191	93	64	63	48	11	8	6	45
<i>Shuto Orizari</i>	60	45	11	4	4	10	-	4	3	15	10
Total in the City of Skopje	721	684	659	622	484	304	289	206	157	226	153

From the data presented in the table above, it is obvious that, compared to 2009, the number of illegally constructed buildings in the City of Skopje has decreased by 75 per cent. The details on type of buildings per municipality are presented in Annex II.

3. SETTLEMENTS IN THE CITY OF SKOPJE WITH INFORMAL CONSTRUCTION

General background

The term “*informal settlement*” is not recognized by national legislation; therefore, no decision or legal act covers “informal settlements” in Skopje. This chapter considers settlements that contain informal or illegal constructions, as well as those where a vulnerable population group resides.

The City of Skopje, as other cities, is not immune to informality in terms of housing. They appear as temporary improvised dwellings and settlements with permanent character that face informal constructions.

Within Skopje, temporary improvised settlements are usually seen in public areas, such as the riverbanks of the River Vardar. They are generally substandard dwellings made of cardboard and similar materials. City authorities are constantly taking measures to remove these and advising citizens affected to seek social care.

Skopje also has settlements with more permanent informal constructions with permanent character. In absence of systematic data on these settlements, data from studies, survey and reports developed within other projects must be used instead. The most relevant sources of data used for this Report are:

1. The Social Mapping of Roma
2. The Baseline Study on Roma Housing in the Municipality of Chair

The ***Social Mapping of Roma*** (2019) was conducted by AECOM in coordination with the Skopje Delegation of the European Union, the Ministry of Labour and Social Politics, and the Cabinet of the Minister without Portfolio responsible for Roma strategy implementation, as final beneficiaries of the report.

The Roma report aimed to provide information on community structures and situation, as well as an overview of Roma households in terms of education, employment, health, housing, infrastructure and other socioeconomic characteristics. This information was provided to relevant national institutions to offer better policies to the whole Roma community.

The ***Baseline Study on Roma housing in the Municipality of Chair*** (from 2017) is part of the project “Roma Housing Rights for Sustainable Urban Development” implemented by “Habitat Macedonia” in collaboration with the non-governmental organisations “Roma S.O.S.” - Prilep, “Sumnal” - Skopje (Chair) and “Cherenja” - Shtip. The European Union, under the European Instrument for Democracy and Human Rights (EIDHR), financed this project.

The general aim of the Baseline Study was to define housing conditions in the municipality of Chair. The specific objective was to determine their problems related to housing, right to housing, and access to local authorities. The basis for the Baseline Study was the survey of 736 families living in the Roma settlements in Chair (Topaana neighbourhood).

Since these reports, studies covering two municipalities in the City of Skopje (Shuto Orizari and Chair), are discussed below. They contain information about settlements in the Municipality of Shuto Orizari and the Topaana neighbourhood in the Municipality of Chair.

Situation play in the Municipality of Shuto Orizari²

The neighbourhood of Shuto Orizari arose after the earthquake of 1963 with the donation of iron shacks by the United States of America. At the same time, city and central authorities contributed large funds toward building the neighborhood which has become home to Roma families made homeless by the earthquake.³

In 1996 Shuto Orizari became distinct municipality, and is now one of the ten municipalities making up Skopje. Although part of the capital, Shuto Orizari still faces the impact of informality. However, local authority urbanization efforts continue and are considered crucial for formalizing upgrading the neighbourhood.

Shuto Orizari is located approximately five kilometres north of Macedonia Square. According to Article 8 of the Law on the City of Skopje, its border starts from the crossroads of the three borders of Butel, Shuto Orizari and Cucer Sandevo. Shuto Orizari covers an area of 7.48 km² and has a population density of 2,943 inhabitants/km².

The municipality comprises three distinct settlements: Shuto Orizari, Dolno Orizari and Gorno Orizari. Shuto Orizari proper is an urban settlement within Skopje. Dolno Orizari is a small village which had only 454 inhabitants in 2002. Gorno Orizari is located between Shuto Orizari and the rest of the city.

According to the 2002 census, households and dwellings in Shuto Orizari accommodate 22,017 citizens. The population and household breakdown is shown in Table 4, below.

Table 4: Population of the Municipality of Shuto Orizari, based on the ethnicity (Census 2002)⁴

Municipality of Shuto Orizari		per cent
Macedonians	1,438	6.53 per cent
Albanians	6,675	30.32 per cent
Turkish	56	0.25 per cent
Roma	13,342	60.60 per cent
Vlach	0	0 per cent
Serbians	67	0.30 per cent
Bosnians	177	0.80 per cent
Other	262	1.19 per cent
Total population	22,017	100 per cent
Total households	5,102	
Total dwellings (all type of living quarters)	5,263	

² Data from "Thematic evaluation of EU support to Roma communities and Roma social mapping" EuropeAid/132633/C/SER/multi (Final draft) available on https://cms.mtsp.gov.mk/content/pdf/dokumenti/2019/Final%20Social%20mapping%20report_English.pdf

³ Jasna Stevanovska. "Revisiting Topaana: touring a neighborhood where the other 1 per cent lives"

⁴ Data from State statistical office [kniga 13.pmd \(stat.gov.mk\)](http://kniga.13.pmd.stat.gov.mk)

According to the census, 60.6 per cent of the total population in Shuto Orizari is of Roma ethnicity. As an ethnic group forms more than 20 per cent of the population, both Romani and Macedonian are official languages in this municipality.

The Social Mapping Report divided the Municipality of Shuto Orizari into six zones:

Zone 1 – St. Brsajcka Buna; St. Antonio Bvorzak; St. Garsija Lorka and St. Guadalahara.

Zone 2 - St. Pelagonija; St. Brsajcka Buna; St. Ovce Polska; St. Hadzi Jovan Siskov.

Zone 3 - St. Vasingtonska; St. Jurij Rozental; St.Dime Meceto; St. Garibaldi; St.Georgi Penkov and St.Volt Dizni.

Zone 4 - St. Kiparska; St. Klisurska; St.Patris Lulumba; St.Karubnica; St.Relo Seto Krilo.

Zone 5 - St. Melnicka; St. Iljo Vovojda; St. Plackovica; St. Butelski Venec krak 1.

Zone 6 - St. Crnook; St. Vinicka; St. Vasingtonska.

Based on this division, the following section of this Report presents information about housing, employment, education and health issues for citizens.

Housing

Housing in Shuto Orizari has a poor infrastructure in terms of road quality, sewage, and access to water and electricity. Build of houses is more varied, ranging from good quality to dwellings made of cardboard. The average number of members per household is five, with the highest incidence of member per household in Zones 2 and 5 and the lowest in Zones 3 and 4.

In terms of dwelling size, around 47 per cent are less than 50m² per household. Based on zones, the smallest are in Zone 1, where 10 per cent of dwellings are under 17-30m², and Zone 3 where 4 per cent are under 17m²-30m². The zones with the largest dwellings are in Zone 5 where 9 per cent of the population live in dwellings that are over 71m², and zone 6 where 5 per cent live in dwellings larger than 71m².

Almost 83 per cent of the Roma own their houses - 2 per cent of these are mortgaged. Nine per cent live in dwellings belonging to their relatives, 5 per cent in rented dwellings, and 3 per cent in improvised dwellings. The highest rate of dwelling ownership are in Zones 3 with 16 per cent and 5 with 13 per cent, while the highest of cardboard dwellings is in Zones 1 and 3.

Table 5: Ownership structure of the dwellings

	Improvised dwelling (cardboard houses, etc.)	House which belongs to another owner (relative)	Rented house	Own house	Own house under mortgage	Apartment belonging to another (relative)	Total
Zone 1	1 %	2 %	0 %	12 %	0 %	2 %	17 %
Zone 2	2%	2 %	3 %	11 %	0 %	0 %	18 %
Zone 3	0%	0 %	0 %	16 %	0 %	0 %	16 %

Zone 4	0%	1%	1%	12%	0%	0%	16%
Zone 5	0%	2%	1%	13%	0%	0%	16%
Zone 6	0%	0%	0%	17%	0%	0%	17%
Total	3%	7%	5%	81%	2%	2%	100%

Although the Roma report owning 83 per cent of their dwellings, from the table it can be seen that not all of them possess legal documentation. Only 38 per cent reported they have legalized houses, 30 per cent of the dwellings are in the process of legalization and 4 per cent answered that only part of the dwelling is legalized. Around 22 per cent of dwellings are not legalized. Zones 5 and 6 have the highest proportion of legalized houses, while Zones 1 and 3 have the highest incidence of houses not yet legalized.

Table 6: Legalization of the dwellings

	Yes	No	Refuse to answer	Only one part is legalized	In the process of legalization	Total
Zone 1	3%	11%	1%	0%	2%	17%
Zone 2	7%	3%	0%	2%	6%	18%
Zone 3	4%	5%	2%	1%	4%	16%
Zone 4	7%	2%	1%	0%	6%	16%
Zone 5	11%	1%	1%	1%	3%	17%
Zone 6	6%	0%	1%	0%	9%	16%
Total	38%	22%	6%	4%	30%	100%

In terms housing quality, several problems were reported during the Social Mapping survey. The main housing and infrastructure problems are presented in the table below.

Table 7: Main housing and infrastructure problems encountered by persons/households

	The house has damp	The house does not have enough light	The house is built of inadequate material	No access to electricity	The house has not accessibility to asphalt road
Zone 1	12%	4%	3%	2%	3%
Zone 2	11%	4%	0%	0%	0%
Zone 3	5%	2%	2%	0%	1%
Zone 4	10%	8%	1%	1%	1%
Zone 5	4%	2%	1%	0%	0%
Zone 6	0%	0%	1%	0%	0%
Total	42%	20%	8%	3%	5%

In terms of flooring, 28 per cent reported that their floors are on ground or concrete. The highest proportion is reported in Zone 1.

Forty-nine per cent of the Roma reported that they have wood-framed windows. The highest proportion was 17 per cent in Zone 2: 17, then Zone 1 with 13 per cent and 8 per cent in Zone 3. Around 10 per cent reported that they have aluminium-framed windows; the highest proportion was in Zone 4.

Tile roofs are reported from 75 per cent of households, with the highest proportion in Zones 5 and 6. Around 10 per cent reported having a metal roof: 3 per cent in Zones 1 and 4, 2 per cent in Zone 5, and 1 per cent in Zones 1 and 3. Also, 11 per cent reported asbestos roofing tiles, fairly equally distributed between zones.

The table below presents the access to different aspects of infrastructure. Around 1 per cent of the dwellings do not have access to electricity, with the highest incidence in Zone 4. As can be seen, 2 per cent do not have access to drinking water in the house, with the highest incidence in Zone 1: 6 per cent. Around 7 per cent do not have access to outside drinking water outside: 9 per cent in Zones 2 and 4, and 8 per cent in Zone 1. Four per cent of households reported no access to indoor toilets, the worst areas being Zones 1 and 2. Around 3 per cent do not have a kitchen in the house, 8 per cent of the houses in Zone 2, 7 per cent in Zone 1. Finally, 4 per cent of the Roma in Shuto Orizari reported that they do not have access to the public sewerage system, with the highest incidence in Zone 1: 8 per cent.

Table 8: Access to different facilities

Settlement	Electricity		Drinking water inside the house		Toilet with bathroom			Toilet inside the house		Kitchen inside the house			Sewerage system	
	Yes	No	Yes	No	Yes	No	N/A	Yes	No	Yes	No	N/A	Yes	No
Zone 1	100 %	0 %	94 %	6 %	88 %	10 %	2%	92%	8%	96%	7%	1%	92%	8%
Zone 2	99 %	1 %	95 %	5 %	85 %	13 %	2%	91%	9%	92%	8%	0%	98%	2%
Zone 3	100 %	0 %	99 %	1 %	98 %	2%	0%	98%	2%	97%	2%	1%	98%	2%
Zone 4	98 %	2 %	100 %	0 %	100 %	0%	0%	99%	1%	100%	0%	0%	94%	6%
Zone 5	99 %	1 %	99 %	1 %	99 %	1%	0%	97%	3%	98%	2%	1%	98%	2%
Zone 6	100 %	0 %	99 %	1 %	100 %	0%	0%	99%	1%	100%	0%	0%	98%	2%
Total	99 %	1 %	98 %	2 %	95 %	4%	1%	96 %	4 %	96%	3%	1%	96%	4%

The access to home appliance presented under Table 9 below. It shows the percentage of houses that do not have access to home appliances that considered as regular to exist in one household. The

Table 9: Lack of access to different home appliances

No access to	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Total
TV	1%	2%	1%	0%	1%	0%	4%
Satellite/Cable TV	15%	13%	9%	13%	8%	7%	63%
Internet	13%	13%	4%	3%	3%	1%	38%
Computer/Laptop	15%	16%	5%	6%	7%	2%	51%
Telephone	14%	16%	9%	10%	6%	10%	65%
Mobile phone	1%	2%	1%	2%	1%	0%	5%
Washing machine	9%	11%	2%	2%	1%	0%	25%
Drying machine	15%	17%	12%	11%	16%	13%	84%
Iron	7%	5%	2%	1%	1%	1%	16%

Fridge	10%	10%	2%	2%	1%	0%	24%
Vacuum cleaner	8%	9%	1%	1%	2%	0%	20%
Electric stove	5%	5%	1%	1%	1%	0%	13%
Stove on gas	16%	17%	12%	11%	13%	13%	82%
Dining table	12%	9%	5%	3%	5%	1%	35%
Bed for each member of the family	8%	12%	5%	5%	5%	0%	34%
Car	16%	17%	10%	11%	6%	8%	68%

Employment

The unemployment rate in Shuto Orizari is high highest comparing with other municipalities in the City of Skopje.

The Table 10 summarizes the reasons for unemployment, as declared by the respondents in the survey.

Table 10: Reasons for unemployment

	Absence of opportunities for employment	Absence of education and skills for employment	Partisan jobs	I don't look for a job	I work time to time and that is enough for me	I will lose the social assistance if I work	Disability of work
Zone 1	4%	11%	2%	1%	2%	2%	1%
Zone 2	6%	9%	2%	0%	1%	0%	2%
Zone 3	6%	7%	10%	3%	2%	1%	1%
Zone 4	11%	8%	6%	2%	1%	1%	1%
Zone 5	8%	4%	8%	1%	2%	1%	1%
Zone 6	3%	5%	2%	3%	2%	0%	2%
Total	38%	44%	30%	10%	10%	5%	8%

Education

In terms of the educational status, several indicators regarding the preschool, primary, secondary and tertiary education were examined within the survey for the Social Mapping Report.

According to the Social Mapping Report, in the time of survey in total were 181 children in the municipality of Shuto Orizari, out of which 84 children at the age of kindergarten (46 per cent).

In the tables below presented the enrolment rate of children's in kindergarten and elementary school and secondary, as well as the barriers for enrolment. Around 29 per cent of the children are enrolled in the kindergarten, while 71 per cent of the children are not enrolled in the kindergarten. As regards the children's participating on the elementary and secondary school the rate of those who are attending is 58 % while of those not attending the school 42%.

Table 11: Enrolled children in kindergarten

	Yes, some of them	Yes, all of them	Not enrolled
Zone 1	2 per cent	1 per cent	14 per cent

Zone 2	6%	1%	20%
Zone 3	1%	5%	10%
Zone 4	1%	8%	18%
Zone 5	1%	2%	8%
Zone 6	1%	0%	1%
Total	12%	17%	71%

Table 12: Barriers to enrolment in preschool education/kindergarten

	We cannot dress them properly	Do not know	We do not have the means to cover the cost	Refuse to answer	The kindergarten is far away, and we cannot take them there
Zone 1	0%	0%	20%	10%	0%
Zone 2	0%	0%	0%	0%	20%
Zone 3	0%	20%	0%	0%	0%
Zone 4	10%	0%	10%	0%	0%
Zone 6	0%	0%	0%	10%	0%
Total	12%	20%	30%	20%	20%

Table 13: Enrolment of children in primary and secondary education

	No. of school age children	Yes		No	
		No. of children	per cent	No. of children	per cent
Zone 1	50	11	22%	10	20%
Zone 2	50	15	30%	15	30%
Zone 3	38	14	37%	4	11%
Zone 4	40	17	43%	6	15%
Zone 5	30	14	47%	0	0%
Zone 6	19	12	63%	0	0%
Total	280	162		118	
School enrolment rate			58%		42%

Health

The distances of the Roma settlements from the hospital, which is an important indicator for access to health are presented in Table 14, below. As shown in the table below, around 21 per cent of the respondents are more than 2km away from the hospital while 34 per cent are equal to or less than 1 km distance from hospital. The expenditures on medicines in a given household also indicates the access to health of the Roma families. The expenditures per month varies, from less than 100 MKD to more than 6.000 MKD. Table 15 below, presents the results from the survey in the related zones of Shuto Orizari.

Table 14: Distance from hospital/health unit

	100 m - 600 m	600 m – 1 km	1 km – 2 km	2 km – 5 km	More than 5 km
Zone 1	0%	3%	9%	5%	0%
Zone 2	5%	1%	4%	7%	0%

Zone 3	1%	3%	5%	7%	0%
Zone 4	0%	8%	9%	0%	0%
Zone 5	1%	4%	11%	0%	0%
Zone 6	2%	6%	7%	1%	1%
Total	9%	25%	45%	20%	1%

Table 15: Expenditures on medicines/month, in MKD

	Less than 100	100-1000	1001-3000	3001-6000	More than 6000
Zone 1	1%	14%	1%	1%	1%
Zone 2	0%	15%	0%	1%	1%
Zone 3	0%	12%	3%	2%	1%
Zone 4	1%	5%	6%	4%	0%
Zone 5	3%	2%	6%	3%	2%
Zone 6	2%	7%	5%	1%	0%
Total	7%	55%	21%	12%	5%

State of play in the Topaana neighbourhood within the Municipality of Chair⁵

The municipality of Chair is part of Skopje, with borders defined by the Law on the City of Skopje. It has an area of 3.52 km², at an altitude of 362 meters.

According to the census, 64,773 citizens live in the municipality. Their ethnicity, and total number of households are presented in Table 18 below.

Table 16: Population, households and dwellings of the Municipality of Chair (Census 2002)⁶

Municipality of Chair	
Macedonians	15,628
Albanians	39,921
Turkish	4500
Roma	3083
Vlach	78
Serbians	621
Bosnians	2950
Other	992
Total population	64,773
Total households	17107
Total dwellings (all type of living quarters)	17127

Topaana neighbourhood is part of Chair, populated by the Roma community. For developing the Baseline study on Roma housing in the Municipality of Chair, a survey was conducted of 736 families living in Roma settlements. Results from the survey are presented below.

Housing

⁵ Data from Baseline study on Roma Housing in the Municipality of Chair, March 2017. Available on [TOPAANA-CHAIR_ang_Final.pdf \(habitat.org.mk\)](#)

⁶ Data from State statistical office [kniga_13.pmd \(stat.gov.mk\)](#)

Ninety-six per cent of respondents say they live in a house, 2 per cent in a flat and 2 per cent in a temporary dwelling. In 90 of cases the homeowner is the husband, in 7 per cent the wife – only 3 per cent have joint ownership. Forty-three per cent of respondents live in their own homes, 41 per cent in homes owned by their parents, 12 per cent in homes owned by other members of the family and 4 per cent live in rented flats.

Almost half of the respondents live in homes of approximately 50m², consisting mainly of two or three rooms. While 8 per cent have homes of only 40m², 30 percent live in homes of 61-100m², 9 per cent have 101-150m², and only 2 per cent live in homes bigger than 150m². Therefore the Roma community mostly live in homes of approximately 50m² consisting of two or three rooms.

The most problematic issues for people living in these settlements are toilets, bathrooms and kitchens. All have toilets, but only 67 per cent of these are indoors, whereas 33 per cent still have outdoor toilets. Sixty-six per cent have a bathroom in their house, 32 per cent have a bathroom outside, and 2 per cent have no bathroom at all. Fifty-eight per cent of respondents have a kitchen conjoined with the living room, 39 per cent have a separate kitchen, and 3 per cent have no kitchen.

In addition to the toilet and bathroom, windows are also a problem because not all rooms in the respondents' homes have them. Seventy per cent of respondents have windows in all rooms, whereas the rest have rooms without windows.

Employment

Forty-one per cent of residents are unemployed, 25 per cent are regularly employed, and 34 per cent work occasionally. The majority of respondents have a family income higher than 30,000 denars - 26 per cent, 7 per cent have up to 3,000 denars per month, 14 per cent have between 3,000 and 6,000 denars, 21 per cent between 6,000 to 12,000 denars, 14 per cent between 12,000 to 15,000 denars per month and 18 per cent of respondents earn 15,000 to 30,000 denars. Income type is: 28 per cent private sector work, 21 per cent receive social welfare, 24 per cent the public sector work, 17 per cent from daily work, 3 per cent from handicrafts, 3 per cent from their own legal business, and 4 per cent receive assistance from relatives and friends. Therefore, the biggest proportion of family income comes from private companies, per diem and salaries from the public sector, and a fifth from the Ministry of Labour and Social Policy.

Water supply and sewage

The biggest part of Topaana has a good water supply and sewage network, but there is one part of the settlement which still has problems. According to the survey, 58 per cent of the local community is connected to the sewage network, 21 per cent of respondents say there is some connection but not everywhere, 13 per cent say it does not meet their needs and 2 per cent say that there is no sewage network. About 88 per cent of respondents say they have a connection to the sewage network in their home, 4 per cent do not, and 8 per cent have a connection to the sewage network outside the home. According to the survey, 86 per cent say that there is a water supply system in the local community, 11 per cent say that there is, but

not everywhere, 2 per cent say it does not satisfy their needs, and 1 per cent say they are illegally connected.

Ninety-five per cent of people have in-home water supply connections, 1 per cent are not connected, and the remaining respondents are not connected everywhere in their homes, but either in their yard, their kitchen, or only in their toilet. Seventy-six per cent say they have regular potable water supply, 10 per cent say irregular, and the remainder say there are interruptions in the water supply.

Power supply

A power supply network completely covers the settlement. Eighty-seven per cent report a power supply in their local community, 10 per cent say that there is, but not everywhere and 3 per cent say it does not meet their needs. Ninety-five per cent of respondents say they have electricity in their homes, 2 per cent only in their yard, and 1 per cent have no power supply.

Sixty-five per cent of respondents say they use all the appliances in their home, 2.5 per cent did not answer this question and 32.5 per cent of respondents say they use some, usually two, of the listed domestic appliances. The most frequently used domestic appliances are the refrigerator and TV, and the least used is the vacuum cleaner. Heating is organized on an individual basis; 62 per cent use hard fuels such as wood, coal or pellets, whereas the rest use electricity and gas. Only a small number use collective heating.

Internet

Sixty per cent of respondents say they have and use the internet, 39 per cent say they do not have internet access. It is estimated that young people are the biggest internet users. The internet is largely accessed via cable operators, but increasingly by mobile phone.

Floor and furniture

Floor and furniture remain a problem for some families. Thirty-nine per cent of them have laminate floors, 28 per cent cement, 24 per cent parquet, and 9 per cent earth. Sixty-six per cent of respondents have sufficient furniture in their home, 1 per cent have extra furniture, whereas the remaining 9 per cent do not have sufficient furniture.

Forty-two per cent report indoor humidity problems, 28 per cent have leaking roofs and sixteen per cent have cramped living space. The type of floor, pieces of furniture and problems in Roma homes show the majority of families have good floors, and sufficient furniture, but also with home humidity.

These problems are often a consequence of family economic status. In this settlement, recent years have seen much construction of new houses and reconstruction of existing ones. According to the survey, 52 per cent of respondents built extensions or reconstructed existing houses, and 48 per cent did not. Eighty-six said they did not use loans for this, and 14 per cent did. Of those not using loans, 32 per cent did not want one, 12 per cent did not get approved, and 56 per cent were unemployed and did not apply.

According to this survey, the majority of homes in Topaana will become legal. Eighteen per cent of respondents live in legally built houses, 17 per cent have legalized them, and 58 per cent are in a legalization process. Five per cent live in illegal homes, and 2 per cent do not have their own home: equal to the number of citizens who said that they live in rented homes.

4. INSTITUTIONAL CHART RELATED TO DETERMINATION OF LEGAL STATUS AND REGISTRATION OF ILLEGALLY CONSTRUCTED OBJECTS

For determination of legal status and registration of illegally constructed objects, institutions from both central and local government are involved. These institutions, with responsibilities, is presented below.

Table 17: Institutions involved in the process of determination of legal status and registration of illegally constructed objects

Determination of legal status of illegally constructed objects	
Ministry of Transport and Communication	<ul style="list-style-type: none"> - On behalf of the Government, proposed the Law on treatment of illegally constructed buildings to Parliament. - Adopted bylaws based on the Law concerning treatment of illegally constructed buildings. - Supervises implementation of the Law on treatment of illegally constructed buildings and its bylaws. - Implements the procedure for determining legal status of objects of importance for the Republic (<i>first category constructions</i>), objects of health care institutions for tertiary health care and electronic communication networks and facilities. - Determines standards for incorporating illegal constructed buildings into urban planning documentation. - Decides on filed appeals for determination of legal status for illegally constructed objects, issued by the local government. - Keeps register of requests for determination of legal status of illegally constructed objects at the country level.
Local government	<ul style="list-style-type: none"> - Implements the procedure for determining legal status of objects of local importance (<i>second category constructions</i>), and objects of health care institutions for primary and secondary health care protection. - Provides opinion for compliance of the purpose of the illegal object with the purpose of the land on which it is built, determined in the urban planning documentation (except for line infrastructure facilities and electronic communications networks and facilities). - Determines the boundaries of unstable zones within the municipality territory.

	<ul style="list-style-type: none"> - Keeps the register of requests for determination of legal status of illegally constructed objects in their territory.
City of Skopje	<ul style="list-style-type: none"> - Decides fee payment for determination of legal status of illegal objects: the fee is distributed between the city of Skopje and its municipalities.
Ministry of Environment and Physical Planning	<ul style="list-style-type: none"> - Provides opinion for determination of the legal status of illegal objects built within the boundaries of nature protection areas and water protected zones.
The Directorate for protection of cultural heritage	<ul style="list-style-type: none"> - Provides opinion for determination of the legal status of illegal objects built within the boundaries of protected cultural heritage and archaeological sites.
Ministry of Economy	<ul style="list-style-type: none"> - Provides opinion for determination of the legal status of illegal objects built in an area with actual or planned exploitation of mineral resources.
Civil Aviation Agency	<ul style="list-style-type: none"> - Provides opinion for determination of the legal status of illegal objects built in airport protection zones.
Ministry of Interior affairs	<ul style="list-style-type: none"> - Provides opinion for determination of the legal status of illegal objects built in border crossing zones, within 100 meters from the border line.
State Commission for deciding in administrative procedure and labour relationship procedure in the second degree	<ul style="list-style-type: none"> - Decides on filed appeals on decisions for determination of legal status for illegally constructed objects, issued by the Ministry of Transport and Communication.
Agency for real estate cadastre	<ul style="list-style-type: none"> - Responsible for registration of real estate rights and the compilation and maintenance of cadastral maps. - Prepares geodetic reports to determine legal status for illegally constructed objects for people with low incomes.
Courts	<ul style="list-style-type: none"> - Able to impose misdemeanour sanctions deriving from the Law on treatment of illegally constructed buildings.

5. NATIONAL LEGISLATION REGARDING INFORMAL SETTLEMENTS

Since its independence, the country's strategic goal has been to join the European Union. To this end, the country signed a Stabilization and Association Agreement (SAA) with the EU in

April 2001. As a part of this, the Republic of North Macedonia is committed to align its national legislation with the EU Acquis.

SSA, article 68 par.1

“The Parties recognize the importance of the approximation of the existing and future laws of the former Yugoslav Republic of Macedonia to those of the Community. The former Yugoslav Republic of Macedonia shall endeavour to ensure that its laws will be gradually made compatible with those of the Community.”

Due to these commitments, the country is putting huge efforts into aligning national legislation with the requirements of the EU *Acquis Communautaire*. The country’s legislative system is therefore facing reform in all sectors.

The UN definition of “informal settlements is:

- i) residential areas where a group of housing units has been built on land to which the occupants have no legal claim, or which they occupy illegally.
- ii) unplanned settlements where housing is not in compliance with current planning and building regulations (unauthorized housing).

In the Republic of North Macedonia, there is no special law comprehensively dealing with informal settlements. However, some legal acts directly or indirectly tackle topics related to informal settlements, from the perspective of construction, urban planning or treatment of illegally constructed buildings. Below is some information about national legislation that directly or indirectly tackles informal settlements.

Law on construction (“Official Gazette of the Republic of Macedonia” no. 130/09, 124/10, 18/11, 36/11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14, 42/14, 115/14, 149/14, 187/14, 44/15, 129/15, 217/15, 226/15, 30/16, 31/16, 39/16, 71/16, 132/16 and 35/18)

This law regulates construction, its basic requirements, the necessary project documentation to obtain a building permit, rights and obligations of the participants in construction, construction use and maintenance, as well as other issues of importance.

The Law categorizes buildings under two categories:

- *Constructions of the first category*, which includes buildings of significance to the Republic for which a building permit is issued by central governmental bodies. This includes buildings such as nuclear power plants, thermal power plants, and hydropower plants with a capacity of and over one MW.
- *Constructions of the second category*, which includes buildings of local significance for which a building permit is issued by the LSGUs from municipalities. This category includes buildings such as primary and secondary schools, cultural buildings, and buildings necessary for municipal need. This category also includes buildings for individual and collective housing.

In addition, this Law regulates the procedure for obtaining building permits, as well prohibiting construction without a valid permit, with consequences for violating this.

Law on spatial and urban planning (“Official Gazette of the Republic of Macedonia” no.199/14, 44/15, 193/15, 31/16 and 163/16)

This Law regulates the system of spatial and urban planning, conditions, types of planning documentation, as well as other issues. In North Macedonia, depending on the area that is subject to planning, the following urban development plans are in force:

- | | |
|--|---|
| <p>1. Spatial plan of the Republic of North Macedonia</p> | <ul style="list-style-type: none"> ✓ Adopted by Parliament. ✓ Adopted for the entire territory of the Republic of North Macedonia. ✓ Provides guidance on the purpose, use, protection, organization, arrangement and management of the territory. |
| <p>2. Urban plans</p> | |
| <p>2.1. General urban plans</p> | <ul style="list-style-type: none"> ✓ Urban plan adopted for a city settlement. ✓ Contains a graphic presentation of the planning solutions of the scope, textual and numerical information, planning scope, and infrastructure. |
| <p>2.2. Detailed urban plan</p> | <ul style="list-style-type: none"> ✓ Urban plan adopted after a general urban plan has been adopted. ✓ Contains a graphic presentation of the planning solutions of the scope, textual and numerical information, planning scope, and infrastructure. |
| <p>2.3. Urban plan for the village</p> | <ul style="list-style-type: none"> ✓ Urban plan that is adopted for an area in a settlement or village, determined by law. ✓ Contains a graphic presentation and a textual part. |
| <p>2.4. Urban plan for outside the settlement</p> | <ul style="list-style-type: none"> - Urban plan adopted for an area not covered by a general urban or village plan. - Contains a graphic presentation and textual part. |

This Law regulates issues related to:

- Licences and authorizations for development and auditing urban plans.
- Programmes for developing urban plans.
- The procedure for development and adoption of urban plans and urban planning documents.
- Urban plan documentation.
- Urban design documentation.
- Implementation of urban plans and urban plan documentation.
- Spatial Planning Agency.
- Supervision.
- Penalty provisions.

Law on treatment of unlawful constructions (“Official Gazette of Republic of Macedonia” no. 23/11, 54/11, 155/12, 53/13, 72/13, 44/14, 115/14, 199/14, 124/15, 129/15, 217/15, 31/16 and 190/17)

Adopted in 2011 and amended several times, this Law regulates the conditions, manner and procedure for determining the legal status of illegally constructed buildings and recording them.

Illegally constructed buildings in the meaning of this Law are considered buildings of the first and second category in accordance with the Law on construction (as explained above), that are built without a building permit, or contrary to one. The Law covers illegally-constructed facilities where the structure and its installations are completed by the date the Law was passed, and constitute a unit in terms of construction and function. Establishing the legal status of an informal structure implies entering the illegal structure into public records. This leads to registration of rights over real estate and inclusion into spatial-planning documentation.

This Law also regulates:

The procedure for determination of the legal status of an illegally constructed building	Detailed information provided in Point 7 of this Report
Buying the state-owned land on which an illegal building is build	Regulates the procedure and conditions for purchasing the state owned land, when an illegal building is on a state owned land, based on a decision for determining the legal status of an illegal object.
Removal of illegal buildings	Illegal buildings that do not meet the conditions for issuing an urban plan consent shall be removed in accordance with the provisions of the Law on Construction. In addition, if the illegal construction is upgraded while legal status is being determined, the request for legalization will be rejected. This is regardless of whether it meets the conditions for determining the legal status of an illegal object.
Penalty provisions	For officials who did not comply with the Law related to the procedure for determining of the legal status of illegally built construction, the penalty varies from 1,000 to 3,000 EUR.
Amnesty	The Law also provides a kind of amnesty for proceedings related to illegally constructed buildings. It anticipates that procedures for removal of illegally constructed buildings, as well as administrative and judicial proceedings, started before the Law was passed, will stop once it is passed.

Since the current Law on treatment of unlawful constructions provides a date before which requests for determination of legal status can be submitted, not all citizens used the process. Therefore, recently the Government of the Republic of North Macedonia proposed to

Parliament that a new Law replace the current one. The proposal is based on the same principles and structure with some new items.

6. MAJOR FORMALIZATION EFFORTS AND PROJECTS REGARDING INFORMAL SETTLEMENTS AND UPGRADING OF THE INFORMAL SETTLEMENTS AT A COUNTRY AND CITY LEVEL

Major formalization efforts, as well as brief elaboration on other factors are presented below. Other projects for formalization may exist but data is scarce, so only proven projects are reported here. Documents related to these projects are in In Annex III.

➤ Project “Real estate cadastre and registration” implemented by World Bank

The main goal was to create an efficient system for a real estate cadastre, and recording and developing an effective real estate market

The project was implemented in 2005-2009, and had four components:

- **Component 1** - Completing the real estate cadastre and rights registration.
- **Component 2** – Institutional development and improvement of service delivery.
- **Component 3** – Development of land policy.
- **Component 4** – Management of the project.

More detail in Component 3, Study on Illegally Built Objects and Informal Development in Macedonia developed - Annex III of this Report.

➤ Adoption of the Law on the treatment of unlawful constructions

This Law provided the legal framework for formalization of illegally constructions. It related to constructions built before the Law was enforced. The holders of illegally constructed objects had a deadline of 31st December, 2018 to submit requests to determine the legal status of illegally constructed buildings. Detailed information for the registration procedure is provided in point 7 of this report.

It is important to that the Law provides mechanisms to motivate people to formalize their dwellings. These include:

- Low fee for legalization.
- Possibility to pay the fee for legalization in 12 instalments.
- Empowering AREC to prepare geodetic reports free of charge for families needing social assistance.
- Obligation for municipalities to use the fees collected to prepare urban plans that will facilitate urban development.

➤ Proposal for a Law for determination of legal status of illegally constructed objects

The Government proposed a Law for determination of legal status of illegally constructed objects. Since the current Law deals with illegal buildings built before 3rd March 2011, objects build after this deadline, as well as those which missed the deadline, are not able to be legalized. The new proposed Law is will deal with illegally constructed objects built up to 1st October 2019.

➤ Strategy for the Roma in the Republic of North Macedonia 2014-2020

The Strategy for Roma in the Republic of Macedonia 2014-2020 is a document aimed at raising the involvement and integration of all ethnic groups into a common and modern society.

The Strategy has five strategic objectives for the Roma community:

- Improving their conditions and opportunities for employment and thus their integration into wider society.
- Raising their level of education.
- Reducing the gap in the quality of housing between them and non-Roma communities in Macedonia.
- Continuous improvement of their health status.
- Development and promotion of their culture, language and tradition.

To achieve the five strategic objectives, the Strategy set 32 specific strategic goals. One of these is:

“To legalize 70 per cent of settlements inhabited by Roma population by 2017, where opportunity is presented. (Strategic goal 11)”

The Strategy and the Report on its the annual implementation for 2018 are attached to Annex III.

7. PROCESS OF REGISTRATION OF UNLAWFUL CONSTRUCTIONS IN THE PILOT CITY

This section provides information on procedures for determination of the legal status of illegally constructed buildings as well as registration of illegally constructed buildings in the real estate cadastre. The procedures are prescribed by the Law on treatment of unlawful construction, and bylaws based on this Law. Fuller elaboration of the procedure, relevant authorities, and the necessary steps and documents required is presented below.

Relevant authorities

Institutions in charge of this procedure are the relevant municipalities in the City of Skopje and the Ministry of Transport and Communication.

The **Ministry of Transport and Communication** deals with constructions with significance for the Republic (constructions from the first category), as well as tertiary health care institutions, and electronic communication networks and their equipment.

Local governments (municipalities) are in charge of the procedure for constructions of local significance (constructions from the second category), including buildings for individual and collective housing, and those used for primary and secondary healthcare.

Initiation of the procedure

The holder of the illegally constructed building initiates the procedure for determination of its legal status. This is initiated by submitting a request for determination to the LSGU on whose territory it was built. The rulebook adopted by the Minister of transport and communication determines the form and content of the request.

According to the Law on treatment of unlawful constructions, holders of illegally constructed buildings had to submit requests within a six months from the day the Law was passed. However, this deadline was extended several times, with the last being on the 31st December, 2018.

Applicant for determination of legal status can be:

- natural persons, citizens of the Republic of North Macedonia.
- legal entities registered in the Central Register of the Republic of North Macedonia.
- Institutions which own illegally-constructed buildings.

Foreign legal entities and individuals can apply if they meet the requirements for acquisition of property rights determined by the Law on property and other rights.

Supporting documents to be submitted with the Request

The holder of the illegally-constructed building must also submit the following documents:

- Certificate of citizenship or a copy of an ID card for a domestic natural person. Foreigners should submit copies of their passports. Legal entities must submit an excerpt from the Central Company Register.
- Proof of connection to the communal infrastructure or utility bills. If the building has no infrastructure connections, a notary-certified statement must confirm the building was built before the Law was passed.
- Geodetic report determining the actual condition of an illegal object, with a property certificate for the land on which it stands.

Apart from these mandatory supporting documents, additional documents are required in some situations. For instance, if the illegal building is not on the applicant's own land, they must provide a long-term lease agreement or notarized statement with the landowner that they agree to determine the illegal object's legal status and register it in the public books.

On-site inspection/control

After receiving a request for determination of legal status, a commission determines the factual situation and compiles a report with technical data and photos. The commission consists of three municipality or Ministry of Transport employees, at least one of whom must

have a civil engineering or engineering architect background. A rulebook prescribes the required form and content of the report for on-site inspection.

Termination of the procedure

The relevant authority will terminate the procedure in the following cases:

- Where the request is incomplete, whereupon the applicant will be informed on the additional documentation required.
- Where the building is on land with unregistered rights. In this case the relevant body shall report ex officio to the Agency for Real Estate Cadastre, which will start procedures to register the rights over the land.
- Where the request for determining the legal status is accompanied by notary notification that a probate procedure is under implementation for the land.
- Where there are conflicting requests. In this case the authority directs the applicants to a court for clearance procedure.
- Where the request is submitted for a building whose purpose does not accord with the purpose of the land, as shown in urban planning documentation.

Urban development consent

The relevant administrative body should issue the consent within a year, after establishing that the criteria have been met, and upon receiving local government opinion. Where the construction does not meet prescribed conditions, the request will be denied.

Fees for establishment of legal status

Within five days of issuing the urban development consent, the applicant's fee is established. The payment can be within 10 days or in 12 monthly instalments.

The amount of the fee depends on the type of the building. The amount of fee for buildings used for housing is EUR 1/m² constructed area, determined by the technical report. Beneficiaries of social assistance are released from the fee.

According to the Law, fees collected by local government must be used for adopting documentation related to urbanization and planning, and to regulate spatial infrastructure. This should lead to further improvement of urban planning.

Decision for determination of legal status

With a decision for determination of legal status, the illegal object can be included in urban planning documentation. The determination also constitutes the legal basis for registering ownership rights. Documentation must be issued within five days after proof of fee payment has been given.

Appeal procedure

An appeal against the decision can be filed within 15 days of decision notification. Appeals concerning the Ministry of Transport and Communication are made to the State Commission.

Purchase of state-owned land

Purchase of state-owned land on which an illegal structure has been constructed should be completed 6 months following the date of notification. If the owner of the construction does not submit a request to purchase the land, rent is charged.

Removal of illegal buildings

Buildings are removed when they do not meet the criteria for urban development, as are structures which receive additional construction works after a request was filed, regardless of whether they meet other conditions to establish legal status.

8. COVID-19 IMPACT ON THE SELECTED SETTLEMENT

As of 28th November 2020 there have been 56,608 confirmed cases of COVID-19, and 1,503 COVID-related deaths.

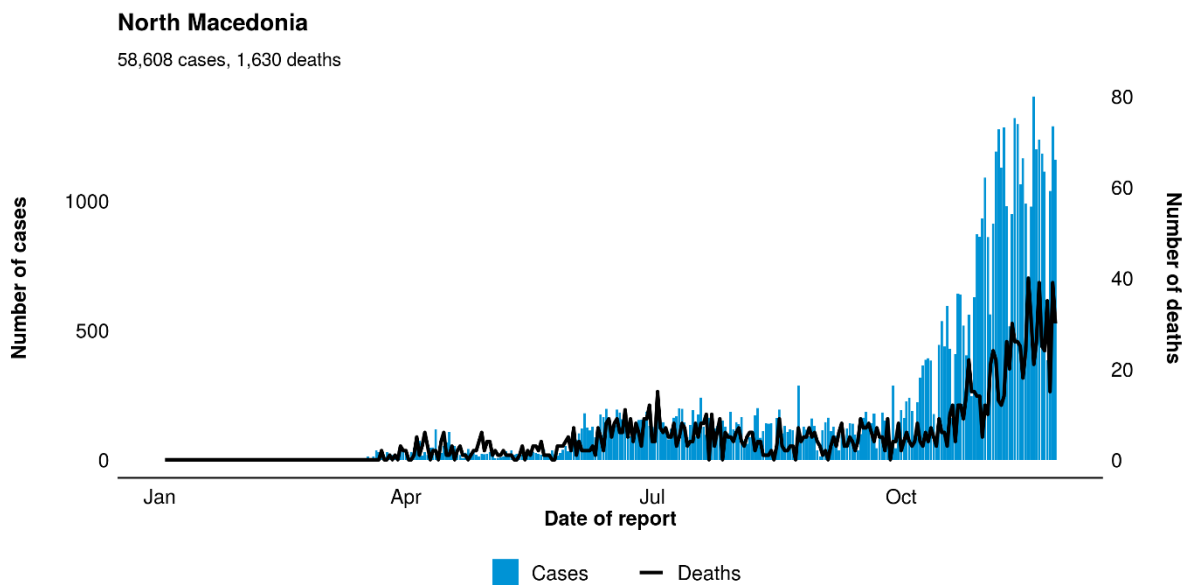


Figure 1: Data from World health organization WHO COVID-19 Explorer (shinyapps.io)

The pandemic affected the whole country and all segments of population, including those living in informal settlements. There is, however, no systematic data and information for the

impact of COVID-19 on the informal settlements. However, the UNDP Office in Skopje, intending to support policymakers dealing with the socio-economic impact of COVID-19, launched a project for Socio-Economic Impact Assessment. This Assessment is currently in drafting stage, and analysis and policy recommendations are not yet done. The draft from June 2020 can be seen in Annex V.

In terms of formalization, at the following is known:

- Municipal public administration worked with restrictions using home working and shift working. This indirectly slowed procedures for legalization of illegally constructed objects.
- When an illegal construction is legalized, it is registered in AREC. Comparing the total number of received applications in AREC from January-June 2019 and January-June 2020, it can be seen that the total number of received applications from January-June 2019 is 526,174, while in the period January-June 2020 it is 464,784. From these figures, it can be concluded that AREC received 61,390 fewer applications than the same period in the previous year.
- Due to early parliamentary elections, Parliament was not functional from 16th of February, 2020. Furthermore, the pandemic led to prolongation of the general parliamentary elections, so they were held on the 15th July, 2020, instead of the 12th of April, 2020. The new Parliament composition was convicted for the first session on the 4th of August 2020.

The COVID-19 situation therefore created an institutional gap that affected the law-making process. This delayed the proposal of the new law for legalization of illegally constructed objects announced in December 2019.

9. RESPONSE MEASURES TO COVID-19 AT NATIONAL – CITY – COMMUNITY LEVEL

From the beginning of the pandemic, various response measures were taken at national level. These include:

- School closing and introducing e-learning platform.
- Workplace closing.
- Cancel of public events.
- Restriction on gatherings.
- Close of public transport.
- Stay at home requirements (lockdowns).
- Restriction on internal movements.
- Public information campaigns.
- Testing.

Due to the extreme countrywide socio-economic impact of COVID-19, the Government took response measures. Although these were not directed specifically at informal settlements, their impact is expected to be felt there.

Central Government response to COVID ¹⁹⁷

So far the Government has adopted four packages of economic measures to preserve as many jobs as possible and help the economy. The economic measures were designed after wide consultation and substantial debate with the newly-created Economic Council, as well as through conversations with the business community via the chambers of commerce. In total 57 economic measures are either implemented or due to be implemented.

The table below, presents these measures, which also affect people and businesses in the selected settlements.

Measure 1	State saves jobs The main measure of the economic package is the direct assistance of 14,500 MKD (approx. 250 EUR) per month for each employee, for April and May, from all companies affected by the crisis.
Measure 2	Support for sport This financial support is provided from the Republic's budget and is paid based on an employee's contract or status in clubs and national sports federations. The financial support is 14,500 MKD (approx. 250 EUR) per month for each employee, for April and May.
Measure 3	Support for artists 141 independent artists were provided with a minimum wage for April and May, as well as contributions through the Ministry of Culture.
Measure 4	Compensation for the citizens who lost their jobs due to the crisis Unemployed persons who have been employed in the last 18 months for at least nine months continuously or 12 months with a break are entitled to this support.
Measure 5	Decrease of the salaries for elected and appointed All elected and appointed officials received a minimum salary of 14,500 MKD in April and May 2020.
Measure 6 -	Presidents and members of management and supervisory boards of public institutions will not receive compensation for the duration of the crisis If they are already employed elsewhere, no remuneration will be given to chairs and members of management and supervisory boards of public institutions from executive and local government, or presidents and members of municipal councils, or chairs and members of commissions formed by executive and local government. The decision will be valid until the Government decides to terminate it. This does not apply to people who are unemployed, and for whom this is their only income.
Measure 7 -	The state takes care of people who were part of the informal economy and lost their income There is financial assistance to households and energy supplements for social protection beneficiaries
Measure 8	Suspension of the Law on enforcement until June 2020

⁷ Data from Government of the Republic of North Macedonia web site. Available on <https://vlada.mk/ekonomski-merki-covid19>

Measure 9	Postponement of the payment of loans in the banks
Measure 10	Reduction of instalment and reprogramming of loans to financial companies and leasing companies
Measure 11	Payment postponement of rent for the users of social housing
Measure 12	Additional interest-free loans for companies of new 8 million euros
Measure 13	50 million euros of cheap loans from the Development Bank of the Republic of North Macedonia were placed through commercial banks to protect the liquidity of companies
Measure 14	Prohibition of opening of a bankruptcy procedure Bankruptcy proceedings are prohibited during the crisis and 6 months afterwards.
Measure 15	Mandatory use of first part of the annual leave
Measure 16	Establishment of solidary COVID 19 fund
Measure 17	Reduction of royalties
Measure 18	Uninterrupted transport of goods, road traffic and facilitation of the work of the companies from the construction sector during the state of emergency
Measure 19	Support for maintaining economic activity and exports
Measure 20	Financial support for April and May 2020 of 14,500 denars per month for individuals who perform independent activity
Measure 21	Subsidizing 50 per cent of the contributions for employees in companies from the sectors of tourism, transport and catering and other companies affected by COVID 19
Measure 22	Freezing the prices of lemons, oranges, tangerines, grapefruits and clementines
Measure 23	Prohibition of export of wheat and flour
Measure 24	Freezing, prolonging or rescheduling loans to citizens and companies affected by COVID 19
Measure 25	Exemption from advance payments of personal income tax and profit tax for April and May 2020
Measure 26	Support for payment of salaries, which continues to be valid for the last quarter of the year: October, November and December
Measure 27	Payment cards for citizens to enable higher consumption and develop domestic economic activity Payment cards of 6,000 MKD will be given to 5,726 single parents, and pensioners with pensions up to 15,000 MKD (182,271 pensioners). They are also to be given to passive job seekers: the 85,108 citizens who are independent artists, filmmakers, cultural workers and pop artists with over 520 users.
Measure 28	Increasing the grace period for interest-free loans from COVID-1
Measure 29	New EUR 100 million favourable loans from the Development Bank of the Republic of Northern Macedonia
Measure 30	Salary support for tour guides



Measure 31	Refund of the tourist tax for 2019 to support the tourism sector, as one of the most affected by the crisis
Measure 32	Grants for travel agencies from 3,000 to 7,000 euros
Measure 33	Reduction and / or abolition of para-fiscal duties
Measure 34	Grants for restaurants for weddings
Measure 35	Renewal of licenses for operation of discos, nightclubs and transport companies
Measure 36	Grants for playgrounds for children
Measure 37	Support for artisans
Measure 38	State credit guarantee
Measure 39	State customs guarantee
- Measure 40	Additional postponement of loan repayments for companies until the end of the year
Measure 41	Reduction of penalty interest for public duties by half from 0.03 per cent to 0.015 per cent by the end of the year
Measure 42	Postponement of advance payment of profit tax
Measure 43	Exemption from VAT for public donations for another 12 months
Measure 44	Reduction of the VAT rate for restaurant services and food and beverage services. These will be taxed with a new preferential VAT rate of 10 per cent instead of the current regular rate of 18 per cent
Measure 45	Postponement of VAT payment
Measure 46	Deleting the requirement to accumulate points from Continuing Professional Development (CPI) for renewal of accountant licenses
Measure 47	Increase the period to cover losses at the expense of future profits
Measure 48	Increasing the threshold with which businesses would be part of the non-taxation regime with profit tax, and increasing the threshold with which they would enter the total income regime
Measure 49	Recognition of the cost of private health insurance as a recognized expense
Measure 51	Recognition of COVID 19 test costs as an expense
Measure 52	Reduction of import duties on raw materials
Measure 53	Support for human capital development
Measure 54	Support for the purchase of grapes from the 2020 harvest
Measure 55	Exemption of 2/3 of the legally prescribed amount for organizers of games of chance
Measure 56	Change of calculation of the basis for financing of Local Self-Government Units
Measure 57	This measure envisages VAT reimbursement for more than 350,000 citizens, who during the extended weekend on October 10-11-12 will be able to buy domestic products and services or computers and other IT equipment worth up to 30,000 denars.

*Response to COVID-19 in local level*⁸

Local responses to COVID-19 have varied. They are usually implemented by municipalities through projects supported by NGOs as well as through direct support from community businesses.

In the table below shows local response measures implemented, as well as the cooperation of the Municipality of Shuto Orizari and Municipality of Chair with various donors.

<i>Measure</i>	<i>Implemented in cooperation with</i>
<p><i>Free care for elderly and infirm persons and shopping assistance for families with disabled children living in Suto Orizari</i></p> <p>USAID via the Citizen Participation Project, funds Nega Plus to provide free care for elderly and infirm persons and shopping assistance for families with children with disabilities living in Suto Orizari. Elderly or infirm people can contact Nega Plus and receive free assistance in food preparation, shopping, assistance in maintaining basic hygiene at home, and help with changing and bathing .</p> <p>Families with children with disabilities can also contact the Nega Plus team if they need help with shopping.</p>	NEGA PLUS
<p>Donation of 93 tablet computers for students from second and third grade who are part of the tutoring support programme in Shuto Orizari. Tablets and 10-gigabyte internet vouchers were provided for 93 students who were not able to attend online classes.</p> <p>The purpose of this assistance was to help Roma children and students to continue their education, as well as reduce the impact on their education of COVID 19.</p>	NGO's Sonce and RCC
<p>Donation of 150 tablets for elementary school students to follow online learning.</p>	Pestalozzi children's foundation
<p>Cleaning and disinfection of streets in the Municipality of Shuto Orizari.</p>	Public Communal Utility "Komunalna Higiena" Skopje
<p>Donation of 15 tablet computers for students who lack digital devices for following online learning. Donation came from Ecolog International company with headquarters in Germany and a branch office in Tetovo, North Macedonia.</p>	Ecolog International
<p>Over 500 information leaflets for Coronavirus Prevention distributed by the Municipal Crisis Staff.</p>	
<p>Distribution of humanitarian aid to socially vulnerable families.</p>	Red cross Open Society Foundation

⁸ Data from Municipality of Shuto Orizari and Municipality of Chair web sites.

	NGO's
Distribution of face masks for citizens.	
Public campaigns for citizen information during lockdown.	
Exemption from fees in the kindergartens "Fidani" and "Borëbardha" for April, May and June 2020 due to the situation caused by COVID-19.	Municipality of Chair

10. CHALLENGES, GAPS, AND NEEDS IN THIS CONTEXT

For “building back better” the following challenge and needs were identified:

A. *Balancing the needs with the possibilities*

The overall fall in consumption means a fall in taxes, creating gaps in local authority budgets. Local budgets are expected to face lack of funds for implementing programmes, so balancing need with resources will be challenging.

B. *Socio-economic effects may drop the interest in legalization*

Due to other socio-economic problems created by COVID-19, legalization of houses may be a lower priority for families living in houses without regulated legal status. The problems of health, unemployment, or debts may need to be prioritized.

C. *Missing personal documents*

Personal documents such as ID cards are crucial to successful formalization of illegally-constructed. Vulnerable groups like the Roma community are often missing personal documents, which will obstruct the formalization process.

D. *Migration*

Socio-economic problems from COVID-19 may stimulate internal and external migration, creating gaps in the formalization process.

11. RECOMMENDATIONS FOR LOCAL AUTHORITIES

The recommendations below are based on findings from the survey conducted as part of *Social Mapping of Roma* and *Baseline Study on Roma housing in the Municipality of Chair*, as well as from the development of this Assessment report. Selected settlements face difficulties in almost all segments of social life, however these recommendations are only about urban upgrading and formalizing the selected settlements.

1. Adoption of detailed urban plans for the selected settlements should be a priority for local authorities to support urban improvement and development of these settlements.

2. During preparation and adoption of urban plans, close communication with citizens from the settlements is required to meet their housing rights and urbanization needs.
3. Strengthening capacity at municipality level to facilitate formalization procedures initiated by citizens.
4. Speeding up procedures for determination of the legal status of illegal constructions in the selected settlements, based on requests submitted and in line with applicable laws and urban plans.
5. Finding ways to assist citizens in legalizing the houses of families in vulnerable situations, for whom this is a priority.
6. In cooperation with central government, to find ways to provide favourable financial instruments like loans and subventions, through which people will be able to renovate their homes, providing decent dwellings for their families.
7. Raise funds to improve infrastructure conditions related to streets, water supply, electricity, and sewerage network in the selected settlements.

Since a new Law for determination of the legal status of illegally constructions has been announced, local authorities should focus on:

1. Planning and organizing a wide public information and awareness campaign in the selected settlements about how to legalize illegally constructions and the benefits of doing so.
2. To find ways to let NGOs provide assistance to citizens in completing the documents for legalization and preparing requests for determination of the legal status of their homes.

About COVID-19 response, the recommendations are:

1. To continue with the awareness-raising campaigns about COVID-19 health impacts and prevention measures, targeting especially people who are sceptical about the existence of the virus.
2. support families with schoolchildren with free internet and IT equipment to let them join the online learning.
3. Co-ordinate donors and charities, to prevent supporting those not in need and over-supporting others and hence wasting resources.
4. To ensure social distance during distribution of support and donations.
5. Informing citizens about the vaccination process and the benefits of vaccination.

The list of recommendations is not exhaustive; it may be upgraded after consultation with local authorities.



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ANNEX I. LIST OF SOURCES

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UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

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City of Skopje, Republic of North Macedonia
Assessment Report

