

Exercise of Rights by Foreigners in the Republic of North Macedonia

Institutional Practices, Data
and Challenges

Publisher

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Executive Summary

In the last years, the Republic of North Macedonia is faced with significant changes in migration flows. In addition to its traditional role as a country of transit, it is more frequently becoming a destination for foreign workers, students, family members, and persons under international protection. The growing need of foreign labour, especially in the construction, hospitality and processing industries, is gradually changing the migration profile and opens new issues related to inclusion and access to public services.

This report analyses the legal framework and practical access to social and economic rights for foreigners in North Macedonia, with a focus on residence, employment, social protection, healthcare, education, access to justice, and human rights protection mechanisms. The analysis is based on twelve thematic reports, interviews with relevant institutions, civil society organizations, employers and foreigners, as well as analysis of relevant legislation and available statistics.

The central monitoring finding shows that the main challenge is no longer the absence of law-stipulated guarantees, but their practical implementation. To great extent, the legal framework provides access to basic rights for foreigners, but their effective exercise is oftentimes limited by complex administrative procedures, insufficient interinstitutional coordination, limited administrative capacity, lack of translators and information materials, as well as insufficiently developed digital systems.

The analysis identifies several cross-cutting challenges that are repeated in almost all areas. First, institutional procedures are fragmented and depend on coordination between several institutions that do not dispose with integrated data exchange systems. Second, administrative procedures are often long and complex, including repetitive submission of documents and limited transparency on the course of proceedings. Third, practical exercise of rights heavily depends on individual engagement on the part of public officers or support provided by civil society organizations, instead of systematically established mechanisms. Finally, limited availability of desegregated statistical data significantly hinders monitoring of state-of-affairs and evidence-based policy creation.

In the area of employment, administrative procedures for obtaining work permits and regulating residence status are among the most important practical challenges, in spite of the growing need for foreign labour in the domestic economy. As regards social protection and healthcare, access to rights often depends on regulated residence status and timely completion of administrative procedures. In the area of education, recognition of foreign educational documents and language barriers remain to pose significant obstacles, while access to justice is limited by lack of translators, limited information about the rights, and insufficiently developed mechanisms for institutional support.

At the same time, the report identifies practices indicating that the system disposes with potential for further development. The legal framework provides good basis for access to rights, and examples of professional adaptability and constructive cooperation with civil society organizations and international partners are observed at several institutions. Also, certain employers develop practices aimed at improving living and working conditions for foreign workers.

Based on the report, it could be concluded that further development of the system requires the focus not to be maintained on expanding the legal framework, but on improving its practical enforcement. Priority should be given to strengthening institutional coordination, digitalizing administrative procedures, developing integrated data management systems, improving access to information and translation, as well as building institutional capacity for work with foreigners.

Introduction

In the last several years, the Republic of North Macedonia notes significant changes to migration flows. While it still remains part of the regional migration routes, the state is increasingly becoming a destination country for foreigners, especially due to the increased need of labour in certain economy sectors. At the same time, foreigners reside in the country for other purposes, including education, family reunification, international protection, research activity, and investments.

The increased number of foreigners opens new challenges for institutions competent to regulate residence and provide access to public services and rights. While the national legal framework, to great extent, stipulates conditions for residence and exercise of economic and social rights, their practical implementation depends on efficiency of administrative procedures, institutional coordination, and availability of information and services.

In the context of the country's accession in the European Union, provision of effective access to rights for foreigners is a significant element of alignment with EU standards in the areas of human rights, migration, non-discrimination, and the rule of law. At the same time, the growing number of foreigners underlines the need for evidence-based policies, quality statistical data, and institutional mechanisms to ensure that practical obstacles in exercise of rights are timely identified and addressed.

The purpose of this report is to assess state-of-affairs in exercise of economic and social rights by foreigners in the Republic of North Macedonia, with special focus on practical implementation of the legal framework. The report analyses institutional and administrative aspects of access to residence, employment, healthcare, education and social protection, as well as challenges that emerge in respect to exercise of these rights.

The report is based on analysis of relevant legal and strategy frameworks, available statistical data and findings obtained during interviews and focus groups organized with representatives from the institutions, civil society organizations, employers, trade unions, and foreigners. Detailed description of the applied methodology is given in the next chapter.

Research Methodology

This report is based on qualitative analysis of the legal and institutional framework that governs access to social and economic rights for foreigners in the Republic of North Macedonia. The analysis combines review of the legislation, including an examination of its practical implementation, in order to identify challenges, good practices, and possible gaps between law-stipulated guarantees and their enforcement in the practice.

The research is based on analysis of several sources of data, including:

- relevant national laws and bylaws;
- strategy documents, institutional reports, statistical data and other official documents;
- written information received from competent institutions;
- semi-structured interviews with representatives from state institutions, independent bodies, civil society organizations, employers, and other relevant factors;
- analysis of individual cases and practical experiences relating to access to rights and public services.

The research effort collected information from institutions competent for management of migration, residence, employment, social protection and healthcare, education, and judiciary. Moreover, the analysis takes into consideration experiences and findings of civil society organizations that provide legal and other assistance to foreigners, including foreign workers, asylum seekers, and other categories of persons.

The report covers several thematic areas, as follows: residence and administrative procedures, access to the labour market and labour rights, social protection, healthcare, education, access to justice, as well as the role of institutions and civil society organizations in provision of effective access to these rights.

The methodology approach allows an assessment not only of the level of alignment of the national legal framework with applicable standards, but also of the manner in which it is implemented in the practice, by analysis of institutional capacity, administrative procedures and experiences of relevant stakeholders.

Research Limitations

The research faced certain limitations relating to availability and quality of data. Systemic and segregated statistical data per citizenship, legal status or other relevant indicators are not kept at several institutions, which limits the possibility for a more detailed quantitative analysis and comparability of data among the institutions.

Furthermore, information on practical implementation of the legal framework are based on interviews, written responses from institutions and experiences shared by civil society organizations and other relevant actors. Although these sources provide valuable insight into institutional practices, they do not necessarily allow a comprehensive image of all aspects related to implementation of the legal framework.

In spite of these limitations, use of several complementary sources of data and combination of the normative and practical analyses allow a comprehensive assessment of access to social and economic rights for foreigners in the Republic of North Macedonia and identification of key systemic challenges and areas for improvement.

Report Structure

The report is organized into thematic sections that cover access to social and economic rights for foreigners in the Republic of North Macedonia.

After the introduction and methodology notes, the report analyses the migration context in the country, followed by the institutional framework and data management systems that are relevant for exercise of rights by foreigners. Next is the analysis of key areas of access to rights, including residence and administrative procedures, access to the labour market, social protection and healthcare, education, and access to justice.

Special attention is given to the role played by institutions and civil society organizations in provision of assistance and protection of foreigners' rights, as well as identification of good practices and systemic challenges. The report ends with a summary of conclusions and recommendations aimed at advancing policies and institutional practices.

Migration Context

Migration Trends in the Republic of North Macedonia

In the last several years, the Republic of North Macedonia notes changes to migration movements, whereby in addition to the role of transit country, it is more prominently becoming a destination country for foreign workers. This trend is primarily triggered by the lack of domestic labour in certain economy sectors and the employers' increased need to employ foreigners.

While there is no unique and comprehensive statistics on the total number of foreigners residing in the state, available institutional data are indicative of a continuous growth of the number of work permits issued. This figure has increased from 65 in 2020, to 136 in 2021, 215 in 2022, 823 in 2023, 2,397 in 2024, and 3,320 in 2025. This growth refers to significantly increased demand for foreign labour as a result of the lack of domestic labour in several economy sectors.

The growth of work migration is also reflected in the state policy on work migration management. In the last years, the government increased the annual quotas for work-engaged foreigners, from 8,000 in 2023 to 20,000 in 2024, while the number of work permits in 2025

was set at 10,000 in compliance with the changed legal framework. At the same time, an increase is noted in the number of positive opinions for employment and work permits issued, which shows that the need for foreign labour is not planned only under the quota system, but is also reflected in practical implementation of the legal framework.

In addition to economic migration, North Macedonia remains part of the Western Balkans migration route. A decreased number of registered attempts for irregular crossing of state borders is observed in the last years: from 27,391 in 2022 to 13,954 in 2023,

6,807 in 2024 and 3,814 in the period January-September 2025. These data concern the registered attempts for border crossing, whereby one person could be recorded several times if they makes several attempts.

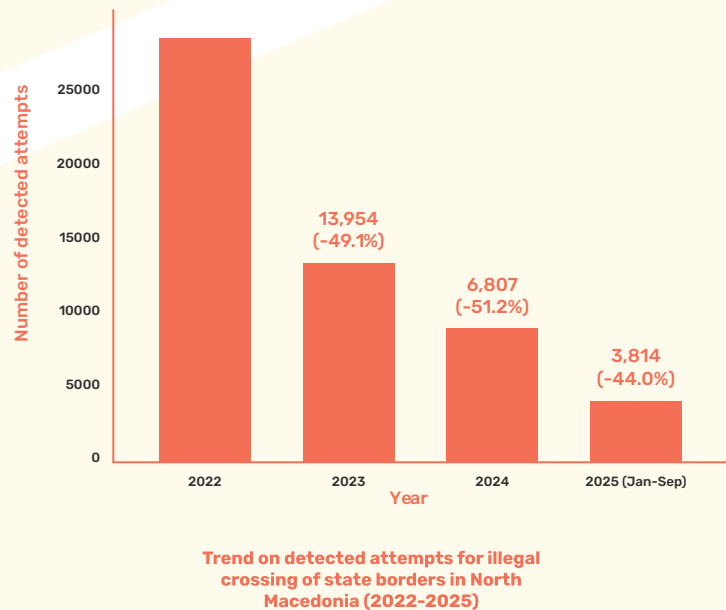
The growth of economic migration is closely followed by changes to the legal framework. 2024 amendments to the Law on Foreigners allowed temporary residence on the grounds of work to also be approved for foreign workers engaged for strategic projects defined under a separate law, beyond the annual quota of work permits. These changes underline the growing role of foreign labour in the national economy and the need for efficient institutional system that will ensure timely implementation of administrative procedures and effective access to rights and public services.

Foreign Population Profile

Foreigners residing in the Republic of North Macedonia are a heterogenous group, covering foreign workers, students, family members, investors, scientific and research staff, asylum seekers, persons under international or temporary protection, and other categories regulated by law. In the last years, however, most prominent is the growth of foreign workers residing in the state in the grounds of employment.

Majority of foreign workers come from third countries, especially from Turkey, Bangladesh, Nepal and India. Their work engagement is concentrated in economy sectors marked by prominent lack of domestic labour, such as construction, processing industry, hospitality, transport, and other labour-intensive activities.

For the most part, work migration is of temporary character. Foreign workers often come alone, based on employment contract with a specific employer, without their family members. Some of them reside in the state for a period of several months, especially those engaged in season activities, while other reside for a longer period of time by extending their work engagement and renewing their residence permits.



Recruitment of foreign workers is most often pursued through licensed employment agencies, directly by the employers or through established business and informal networks. In the practice, the agencies play a significant role in organizing recruitment processes, securing necessary documents and arrival of workers, especially in the case of workers who come from South and Southeast Asia.

Starting from 2024, the regional initiative “Open Balkan” allows simplified access to the labour market for citizens from Serbia and Albania. According to the participants interviewed as part of this research, however, the practical effect of this measure remains limited for the time being, having in mind the lack of labour in the countries from this region, as well as the administrative procedures for employment of foreigners that are still in effect.

Legal Status and Grounds for Residence

The Law on Foreigners stipulates several grounds for legal residence of foreign citizens in the Republic of North Macedonia. Foreigners may reside on the basis of short-term residence, temporary residence or permanent residence, whereby each of these statuses implies a different set of rights, obligations and conditions for status acquisition and extension.

Temporary residence is most often approved for a period of one year, with a possibility for extension provided the law-stipulated conditions are fulfilled. Permanent residence may be acquired after at least five years of uninterrupted legal stay in the state, in compliance with conditions stipulated by the Law on Foreigners.

In the practice, vast majority of foreigners residing in the state for a longer period of time have regulated their stay on the basis of employment. In addition to this ground, residence permits may be approved on the basis of education, family reunification, science and research work, investment activities, international or temporary protection, and other grounds stipulated by law.

Residence duration significantly varies depending on the grounds of which it was approved. In the case of foreign workers, most often it is a matter of temporary residence linked to the duration of their work engagement. Some workers reside in the state for a period of three to nine months, especially those engaged in seasonal activities, while others reside for a period of two-three years or longer by extending their residence permits and signing new employment contracts.

While the legal framework allows gradual transition from short-term to temporary, and later to permanent residence, at the moment the institutions do not dispose with systematized data on the movement of foreigners among different categories of residence. Absence of such data prevents monitoring of long-term migration trends and policy planning in respect to integration, labour market, and access to public services.

Institutional Framework

Competent Institutions

Migration management and provision of access to rights for foreigners in the Republic of North Macedonia is assigned to several institutions whose competences are regulated under the Law on Foreigners and other sectoral laws. Exercise of rights by foreigners implies coordinated action on the part of the institutions competent for regulating residence, access to the labour market, healthcare and social protection, education, and other public services.

The central role in regulating the legal status for foreigners is assigned to the Ministry of Interior, which is competent for procedures on entry, temporary and permanent residence, issuance of personal identification documents to foreigners, procedures for international protection, as well as return and removal of foreigners in compliance with law-stipulated conditions. The Sector on Border Affairs and Migration at Mol is tasked with coordination of activities relating to management of migration movements and border control. Furthermore, Mol also manages the Reception Centre for Foreigners, which is intended for accommodation of foreigners in the cases stipulated by law.

In the area of work migration, the Employment Service Agency of the Republic of North Macedonia plays a key role in employment procedures for foreign citizens. It assesses employment terms, issues positive opinions in procedures for regulation of residence on the grounds of employment, and keeps records related to foreign workers.

As regards social protection and integration, the Ministry of Social Policy, Demographics and Youth creates and implements policies on social protection, receipt and support for asylum seekers and persons granted international protection, as well as measures for protection of human trafficking victims. Social Work Centres, which operate as part of the social protection system, take decisions on social protection rights, appoint guardians to unaccompanied minors, and provide assistance to persons granted international protection.

The Reception Centre for Asylum Seekers provides accommodation and basic services for people seeking international protection, while the National Referral Mechanism coordinates identification and protection of human trafficking victims. Furthermore, transit centres in Gevgelija and Tabanovce provide accommodation and basic assistance for migrants in transit.

Access to sector-specific rights is provided by other institutions. The Ministry of Education and Science is competent for policies in the field of education and access to the education system. The Ministry of Health and the Health Insurance Fund manage the healthcare and health insurance systems, while the Pension and Disability Insurance Funds implements rights relating to pension and disability insurance. Also, local self-government units participate in

provision of some public services, especially in the areas of education, social services and local integration.

Except for public sector institutions, civil society organizations also play a significant role in this respect, providing free legal aid, information, psychosocial support, advocacy and mediation between foreigners and the institutions. Their role is of particular importance for vulnerable categories of foreigners and in cases that necessitate interdisciplinary support.

Institutional Coordination and Administrative Challenges

While the legal framework clearly assigns competences among different institutions, in the practice, exercise of rights by foreigners depends on their efficient coordination. Regulation of residence status, employment, access to healthcare and social insurance, education and other public services imply several interlinked administrative procedures led before different institutions.

The most prominent example is regulation of residence on the grounds of employment, whereby the Ministry of Interior and the Employment Service Agency hold complementary competences. While the Agency assesses whether employment terms for foreigners are met, the Ministry of Interior decides on issuance of temporary residence permits. Efficiency of this procedure depends on timely exchange of information and coordination between the two institutions.

Interviews conducted as part of this research show that interinstitutional communication is heavily based on individual administrative procedures and official correspondence, instead of integrated electronic systems and automated data exchange. As a consequence, foreigners and employers are oftentimes faced with repeated submission of same set of documents to different institutions, limited possibility to follow the course of proceedings, and extended duration of administrative procedures.

Additional challenge is seen in mutual interconnection of different rights. In most cases, access to health insurance, social protection, education and other public service depends on previously regulated residence or employment status. Hence, delays in one administrative procedure could directly impact timely exercise of other rights.

Interviewed representatives from the institutions and civil society organizations noted that, while there is an established cooperation between competent bodies in the practice, further advancement is needed in respect to mechanisms for coordination, digitalization of administrative procedures and systemic data exchange. Strengthening these mechanisms would contribute to more efficient migration management, greater legal certainty and more timely exercise of rights by foreigners.

Foreigner

Ministry of Interior

- residence
- personal identification documents
- international protection

Employment Service Agency

- employment

Ministry of Health/HIF

- health insurance

Ministry of Social Policy

- social protection

Ministry of Education

- education

LSGUs and CSOs

- local services and support

Data and Statistics on Foreigners

Institutional Sources of Data

In the Republic of North Macedonia, data on foreigners are recorded and kept as part of administrative procedures implemented by different institutions, whereby each institution disposes with a set of information relevant for its law-stipulated competences.

Most voluminous administrative records are kept by the Ministry of Interior, which disposes with electronic databases on issued visas, temporary and permanent residence permits, international protection, asylum and other procedures related to regulation of foreigners' residence. These records are the primary administrative source of data on legal status and presence of foreigners in the state.

In the area of work migration, the Employment Service Agency of the Republic of North Macedonia keeps administrative records on employment procedures for foreigners, including records on positive opinions and work permits issued. These data are used in procedures for regulation of residence on the grounds of employment and are related to competences of the Ministry of Interior.

Data on access to certain rights are also kept by other institutions. The Ministry of Education and Science disposes with records on involvement of foreign pupils and students in the education system. The Ministry of Health and the Health Insurance Fund dispose with data on health insurance and use of healthcare services, while the Ministry of Social Policy, Demographics and Youth keeps records on use of social protection rights and services by certain categories of foreigners.

Availability of Statistical Data

While competent institutions dispose with significant volume of data, their statistical usability remains limited. Significant portion of data is created for the needs of individual administrative procedures, not for systemic monitoring of migration flows and foreigners' status.

In the area of work migration, data are available on the number of work permits issued, which allow monitoring of trends in respect to economic migration. Available statistics, however, do not provide sufficient information on sectoral breakdown, professional structure, employment duration or retention of foreigners on the labour market.

In the other areas, such as education, healthcare and social protection, publicly available statistical data are limited and rarely allow comprehensive monitoring of access to public services for foreigners or comparisons against the domestic population.

Statistical System Limitations

Despite the existence of several institutional sources of information, the Republic of North Macedonia does not have a unique integrated system for collection, correlation and analysis of data on foreigners. Data remain scattered among different administrative systems, which hinders systemic use thereof for policy purposes.

Additional challenge is seen in limited desegregation of statistical data. In several areas there are no publicly available information broken down by legal status, grounds for residence, citizenship, gender, age, residence duration or use of specific public services. This limits the possibility for monitoring the position of different categories of foreigners and assessment of equal access to rights.

Data exchange between the institutions oftentimes takes place as part of specific administrative procedures and is based on law-stipulated authorizations, instead of an interoperable information system. As a result, the institutions dispose with limited possibilities for comprehensive analysis of migration flows, policy impact assessment and evidence-based policy creation.

Interviewed participants identified limited interinstitutional data exchange as cross-cutting challenge that affects monitoring of the exercise of rights by foreigners in all areas analysed.

Alignment with EU Statistical Standards

As part of its accession in the European Union, the Republic of North Macedonia is gradually aligning its statistical framework with EU standards in the area of migration and international protection. The reference framework is comprised of the Regulation (EC) No. 862/2007 on Community statistics on migration and international protection, which establishes common rules for collection and reporting of statistical data on international migration, residence permits, international protection and third-country citizens.

Administrative records in North Macedonia cover some categories of data anticipated under this Regulation, especially in the area of residence permits and international protection. Nevertheless, these are not organized as integrated system on official migration statistics in compliance with EU methodologies, nor do they allow full comparability with statistical categories used by EU member-states.

Absence of integrated statistical system, limited desegregation of data and insufficient interoperability between the institutions limit the capacity for systematic monitoring of migration trends, assessment of foreigners' integration, and evidence-based policy creation.

Access to Justice

Access to Residence and Administrative Procedures

Regulation of the residence status is a precondition for exercise of most rights by foreigners in the Republic of North Macedonia. In most cases, access to employment, health insurance, social protection and other public services depends on timely regulation of residence, on the account of which the efficiency of administrative procedures has a direct impact on exercise of these rights.

The Law on Foreigners anticipates a possibility for residence regulation on several grounds, including employment, education, family reunification, humanitarian reasons, and international protection. In the practice, most procedures concern temporary residence on the basis of employment, which makes this category the most relevant for operation of the entire system.

Research findings show that the most important challenges are not related to the legal framework, but the manner in which administrative procedures are implemented. Employers, institutions and civil society organizations indicated that procedures are long, complex and, to great extent, still depend on submission of hardcopy documents. Insufficient digitalization and limited possibility to follow the status of cases reduce predictability of procedures and create additional burden for both the institutions and foreigners.

A special practical challenge is seen in the validity period of the positive opinion issued by the Employment Service Agency. In the opinion of interviewed employers, the three-month validity period is often insufficient for completion of procedures on obtaining visa, entry in the state, regulation of residence status and issuance of personal identification documents. In such cases, the procedure must be started anew, which further delays deadlines and increases administrative costs.

Furthermore, interviewed participants from the institutions referred to the fact that limited human capacity and insufficient number of administrative officers contribute to longer duration of procedures. The Social Work Centre – Skopje indicated non-issuance of single identification number for asylum seekers as the most important practical obstacle as it prevents opening of bank accounts, establishment of labour relations and access to healthcare services.

The research also shows that institutional coordination remains a challenge. While competences of the Ministry of Interior, Employment Service Agency and other institutions are clearly defined, there is no integrated information system that allows automated data exchange and monitoring of administrative procedures. As a result, same set of documents is submitted to several institutions and foreigners have limited insight in the course of such procedures.

Furthermore, interviewed organizations reported that foreigners are not systemically informed on legal protection mechanism available, possibilities for submission of appeals or institutions they could address in cases when their rights have been violated. Individual cases have been noted where persons identified as human trafficking victims or persons for whom indications had existed of being human trafficking victims had been returned by the state without previous regulation of their status, which is indicative of risks in practical implementation of relevant protection mechanisms.

Labour and Labour Rights

The Law on Labour Relations and the Law on Employment of Foreigners stipulate that foreigners who are legally employed in the Republic of North Macedonia are entitled to equal treatment in terms of working conditions, salary, working hours, safety and health at work, and social insurance. In the practice, however, access to these rights is conditioned by efficient implementation of administrative procedures and availability of protection mechanisms.

Findings from interviews and analysed reports show that foreigners are oftentimes employed in sectors marked by chronic lack of domestic labour, especially in the construction, hospitality, processing and manufacturing industries. Engagement of foreign labour is increasingly becoming a structured response to labour market needs, not a temporary measure.

Recruitment is often pursued through direct contacts with foreign partners or through mediation agencies. Employers underlined that, in spite of the established legal framework, administrative procedures for obtaining work permits and regulating residence status remain complex and last too long. Insufficient digitalization, the need for submission of documents to several institutions and limited interinstitutional coordination contribute to delays in start of labour relations.

While the legal framework guarantees equal labour rights, the interviews showed that foreigners could find themselves in a position of greater vulnerability. Most often, it arises as a result of their dependence on the employer for regulation of their work and residence status, limited information on their rights, language barriers, and limited access to independent information and legal assistance.

Trade union representatives indicated that foreigners often lack full understanding of employment contracts and collective agreements due to language barriers or use of translators secured by the employer. In the practice, cases are observed of overtime work beyond the law-stipulated working hours, insufficient information on safety and health at work, and limited training on use of protective gear in a language that workers understand.

Moreover, cases are reported in which foreigners receive lower salary for same work performed, have limited access to certain benefits or perform more difficult and risk-prone tasks, especially in sectors such as construction and manufacturing. At the same time, they rarely join trade union membership, most often due to language barriers, short-term residence or insufficient information on trade union protection mechanisms.

In some cases, the employers secure organized accommodation for foreigners, which is not always subject of systemic institutional supervision. In combination with administrative dependence on the employer and limited information on protection mechanisms, such circumstances additionally increase their vulnerability.

At local level, the Municipality of Chair is marked by increased number of foreigners, especially foreign workers and international students, which contributes to greater demand for apartments and increase of rent prices. Nevertheless, more serious security incidents or significant increase of hate speech have not been noted, which is indicative of the fact that, in spite of administrative and structural challenges, the local environment remains generally stable.

Case Study: Access to Protection of Labour Rights

The focus group with participants from Southeast Asia employed in the hospitality sector indicated limited information on mechanism for protection of labour rights and fear of reporting irregularities. The female participants underlined that dependence on the employer and uncertainty in respect to their residence status affect their preparedness to seek protection of their rights.

“We work a lot, but don’t know where to complain if we have a problem. We fear they would return us back.”

Social Protection

Иако законската рамка предвидува пристап до одредени форми на социјална заштита While the legal framework provides access to certain forms of social protection for foreigners with regulated residence status, exercise of these rights in the practice remains limited and is often related to specific categories, such as persons with recognized status of refugees or subsidiary protection. Social Work Centres and the competent ministries take actions within their legal competences, but factual availability of services, to great extent, depends on the person’s legal status and on successful completion of administrative procedures.

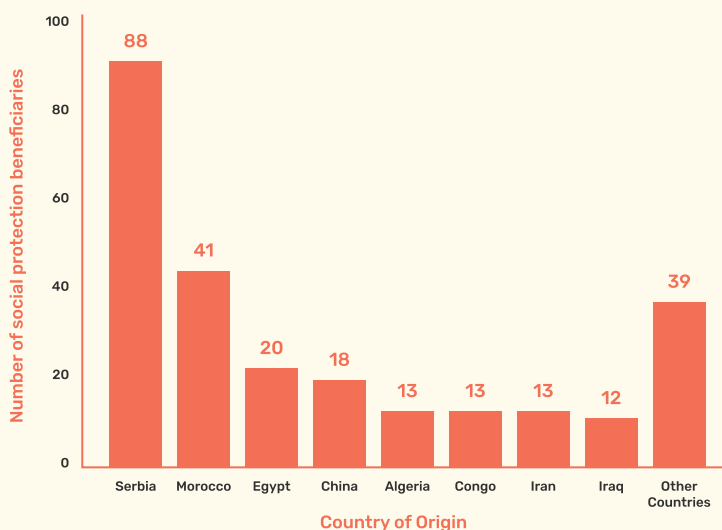
Findings from the interviews show that foreigners are often faced with administrative delays, complex procedures and insufficient information on available rights and services. Lack of translators and information materials on multiple languages additionally hinder communication with the institutions and reduce the possibility for foreigners to individually exercise their rights. In some cases, they rely on assistance from international and civil society organizations, which shows that access to social protection often depends on support mechanisms beyond the regular institutional system.

Additional challenge is seen in coordination between the institutions that take action on different aspects of foreigners' status. Insufficiently formalized exchange of information between services for regulation of residence status and social work centres could lead to administrative fragmentation and could prevent timely provision of necessary support.

Data provided by the Social Work Centre – Skopje show that, in 2024, services under the social protection system were used by **257 foreigners**. Vast majority of beneficiaries were citizens of Serbia (88), Morocco (41), Egypt (20), China (18), Algeria (13), Congo (13), Iran (13) and Iraq (12), while the remaining 39 beneficiaries come from other countries.

According to the legal status, two beneficiaries were asylum seekers, six persons had recognized status of refugees, two persons were under subsidiary protection and ten persons were without regulated residence. These data show that majority of social protection beneficiaries are not persons under international protection, but foreigners with residence in the state on other grounds.

Social protection beneficiaries are not a homogenous group. Except for adult men, they also include women, underage children and families, which is indicative of various needs for support. Most frequently used services include counselling and information, material and humanitarian assistance, psychosocial support, referral to healthcare facilities, and, in individual cases, appointment of temporary guardians, support for integration or interventions related to human trafficking cases and risk of exploitation.



Education

The legal framework in the Republic of North Macedonia anticipates access to primary and secondary education for foreigners with regulated residence, as well as possibility for enrolment in higher education institutions under conditions stipulated by law. While the right to education is normatively guaranteed, its practical exercise is often conditioned by administrative procedures, status requirements and institutional capacity.

As regards primary and secondary education, the schools enrol foreign pupils in compliance with legal provisions but, in the practice, challenges are identified in respect to provision of necessary documents, language barriers and integration of pupils in the teaching process. The procedure for recognition of foreign education documents poses a particular challenge, as it could last for several months. In the meantime and in certain cases, pupils attend classes without being formally recorded in the education system. Additional burden are costs for translation and certification of documents, while the teaching staff rarely receives systemic support or training for work with pupils with different linguistic and cultural origins.

Additional limitations are observed with certain categories of foreigners, especially with asylum seekers and persons under temporary protection. According to interviewed participants, asylum seekers are still facing significant barriers in access to education and, in some cases, pupils are enrolled in first grade without adequate assessment of previously acquired knowledge due to insufficiently developed mechanisms for recognition of previous education.

As regards higher education, access to studies depends on recognition of previous education and regulated residence. Representatives from the universities reported that administrative procedures related to student visas and residence permits often delay the start of studies. While the higher education institutions secure documents needed for these procedures, they are not involved in decision-making on issuance of visas. According to information obtained, in the practice cases are not of student visas being denied in spite of fulfilled legal conditions and without detailed written justification, which opens issues in respect to transparency of administrative decision-making processes.

The procedure on recognition of foreign higher education qualifications is often implemented with submission of hardcopy documents, without established electronic system for monitoring the cases. Additional difficulties emerge when documents are issued in languages for which there are no court-certified translators in the state, which further extends the duration of this procedure.

Although a number of higher education institutions offer study programs in English language and courses in Macedonian language, their availability remains limited. At the same time, financial support for foreign students is limited, on the account of which majority of them independently cover their studying and living costs.

Case Study: Recognition of Foreign Education Documents

An interviewed student from Afghanistan with approved temporary residence in the Republic of North Macedonia referred to practical challenges in the procedure for recognition of foreign documents. His documents were issued in the Pashto language, for which there are no court-certified translators. Therefore, the student was unable to secure translation that would be acceptable in the procedure for recognition of education documents and he lacked access to alternative mechanisms to overcome this obstacle.

As a consequence, the procedure lasted longer than usual and required additional administrative steps and financial costs. Although the student was ultimately enrolled at the state university, this case shows that lack of court-certified translation for certain languages may significantly delay access to higher education and may create additional administrative burden for foreigners.

Healthcare

The legal framework provides access to mandatory health insurance for foreigners under employment contract, as well as for certain categories of persons with recognized international status. Formally, the system ensures participation in the regular health insurance regime through the employer or on the basis of granted international protection.

In the practice, access to healthcare services is closely related to regulated residence and timely activation of health insurance. Findings from interviews and analyses show that, in certain cases, foreign workers start work without active health insurance, most often due to delays or irregularities in fulfilment of obligations on reporting and payment of healthcare contributions. In such situations they are forced to independently cover the cost of healthcare services, which limits the factual availability of health protection.

Access to health protection for certain categories of foreigners, especially for asylum seekers, is secured through special mechanisms that are not fully integrated in the regular system of health insurance. Such organization creates different models for provision of healthcare, which could result in unequal access to and variable quality of services.

Practical challenges are noted also in respect to communication with healthcare institutions. Lack of translators, information materials in multiple languages and systemic measures to overcome language and cultural barriers could impact the quality and timely provision of healthcare services. At the same time, the analysis did not identify specific bylaws or protocols that systematically regulate these matters.

Additional challenge is seen in coordination between the institutions competent for residence status, health insurance and provision of healthcare services. Exchange of information is often pursued as part of individual procedures, without integrated mechanisms that would enable a more efficient monitoring of insurance status and access to healthcare services. As a result, practical exercise of the right to health protection does not depend solely on the legal framework, but also on the degree of institutional coordination and administrative efficiency.

Case Study: Access to Specialist Healthcare

During the interview, a health professional at the Reception and Transit Centre “Vinojug” reported practical challenges in provision of specialist healthcare for foreigners. One person had been diagnosed with a chronic disease that required a specialist treatment. Due to the inability to access a medical specialist through the regular referral mechanisms, including the system “My Appointment”, the medical doctor at the centre established direct contact with a specialist in Skopje, who secured initial medical consultation through telemedicine.

While the person received necessary healthcare services, this case shows that in certain situations access to specialist services depend on individual initiative and personal cooperation with health professionals, instead of previously established institutional mechanisms for referral and coordination.

Role of Civil Society Organizations

Facilitating Access to Justice

Civil society organizations play an important role in facilitating access to justice and services for foreigners, especially in the area of asylum, free legal aid, labour rights and support for vulnerable categories. Their activities cover legal counselling, information on administrative procedures, mediation in communication with the institutions and provision of psychosocial support.

Particular importance is assigned to the role played by the organizations that provide free legal aid to asylum seekers, refugees and stateless persons. In addition to direct support, civil society organizations contribute to identification of systemic problems by submission of complaints, strategic advocacy and participation in policy-making processes.

In the practice, they often assume the role of intermediary between foreigners and the institutions, especially when there are language barriers or limited knowledge of administrative procedures.

Coordinating with the Institutions

In spite of their important role, cooperation between the institutions and civil society organizations most often takes place on project or ad hoc basis, without formalized mechanisms for regular coordination. Continuity of services often depends on donor funding, which could affect their sustainability.

Findings show that more formalized cooperation and better institutional integration of civil society organizations could contribute to more efficient access to rights and services for foreigners.

Independent Institutions and Rights Protection Mechanisms

Access to Protection Mechanisms

The Ombudsman's Office, the Commission for Prevention and Protection Against Discrimination and the State Labour Inspectorate hold competences on acting upon complaints submitted by foreigners in areas such as labour relations, discrimination, administrative procedures and access to public services. The number of recorded submissions, however, remains relatively low and some institutions do not keep desegregated data per citizenship or legal status.

The low number of complaints cannot be interpreted as absence of problems. On the contrary, interviewed participants correlated this number with limited information on protection mechanisms, language barriers, fear of possible consequences on their residence status and insufficient trust in the institutions.

Notably, in the area of labour rights and in spite of the significant number of foreign workers, the State Labour Inspectorate does not dispose with desegregated data on complains submitted by foreign workers. Absence of interlinked administrative systems additionally limits monitoring of possible violations of foreigners' rights.

Institutional Capacity

The analysis shows that the institutions dispose with law-stipulated authorizations for protection of foreigners' rights, but their institutional capacity remains limited. There are no specialized organizational units on issues relating to foreigners, while limited human and financial resources, as well as lack of translators, impact the practical availability of protection mechanisms.

In the area of labour inspection, additional challenge is seen in limited digital tools on data exchange and insufficient institutional interconnection with other competent bodies.

While protection mechanisms are formally available, their practical use remains limited. Improvement of information dissemination to foreigners, provision of information in multiple languages, simplification of procedures for submission of complaints and strengthened cooperation with civil society organizations are identified as key preconditions for more efficient protection of foreigners' rights.

Case Study: Procedure before the Commission for Prevention and Protection Against Discrimination

One case reconsidered by the Commission concerned alleged indirect discrimination on the basis of citizenship towards foreign workers from countries with which the Republic of North Macedonia has not signed bilateral agreement on social protection. The complaint, submitted by a civil society organization, concerned the possibility for exercise of the right to pension and disability insurance after termination of labour relations and residence in the state.

After having conducted its review, the Commission established no discrimination on the basis of citizenship, assessing that limitations arise from legal conditions for exercise of this right and not from different treatment of persons on the basis of their citizenship.

Access to Justice

Participation of Foreigners in Court and Administrative Procedures

Availability of statistical data on participation of foreigners in court and administrative procedures in the Republic of North Macedonia remains limited. While the institutions keep administrative records, they often do not contain basic information such as citizenship of parties involved, are not systematically processed and are not published.

Systems at the public prosecution office record whether a person is domestic citizen or foreigner, including citizenship of the latter. However, these data are not regularly analysed and are not presented in annual reports, which prevents insight into participation of foreigners in criminal proceedings.

The court information system (ACCMIS) includes a feature on recording foreigners and their residence status. While the system allows compilation of statistical data, these are rarely used for analytical purposes and are not published as part of official court statistics.

As regards administrative disputes, foreigners often appear as plaintiffs in cases related to residence, asylum or removal. In the last years, according to interviewed representatives from the Administrative Court, there is a noted reduction of cases relating to asylum status and increased number of cases relating to regulation of residence status.

Procedural Safeguards

The legal framework provides basic procedural safeguards in court and administrative procedures, including the right to translator/interpreter, the right to legal aid in cases stipulated by law, and the right to appeal court decisions.

In criminal proceedings, when a foreigner is apprehended, the competent authorities notify the diplomatic or consular office of the state where the person holds citizenship, in compliance with the state's international commitments. The courts and prosecution offices provide translator/interpreter when needed and, when law-stipulated conditions are fulfilled, they also provide an ex-officio defender.

In the area of administrative disputes, foreigners may initiate proceedings against decisions that concerns their residence, asylum or removal, which ensures judicial control over administrative acts.

Practical Challenges

In spite of the fact that procedural safeguards are in place, their practical exercise is faced with several challenges.

Most prominent among them are language barriers. While the court secures translators/interpreters when needed, the limited number of court-certified translators for certain languages such as Urdu, Nepali, Farsi, or certain Arabic dialects, could lead to delayed proceedings.

Practical difficulties also emerge in respect to establishment of foreigners' identity and age in cases when they do not have personal identification documents, as well as in respect to submission of court acts when the person does not have regulated residence or has left the country before completion of relevant proceedings.

Interviewed participants indicated that communication between foreigners and their legal representatives is not always efficient when taking place via translator/interpreter, which could affect full understanding of procedural rights and the course of proceedings.

At the same time, institutional coordination most often takes place via communication relating to a specific case, without integrated data exchange mechanisms, which could impact the effectiveness of proceedings.

As a result, practical access to justice does not exclusively depend on existence of legal safeguards, but on availability of translators/interpreters, efficient institutional coordination and institutional capacity to respond to foreigners' specific needs.

Good Practices and Possibilities for Improvement

Normative Basis for Inclusion

The existing legal framework in the Republic of North Macedonia anticipates a possibility for foreigners with regulated residence to access basic public services and rights protection mechanisms under conditions stipulated by law. This concerns access to education, health insurance, labour market, social protection and court protection.

Legal limitations that would systemically exclude foreigners from access to rights are not identified in the analysed areas. Instead, most challenges arise from practical implementation of the law, administrative procedures, and institutional capacity.

This shows that the existing normative framework provides a good basis for further advancement of policies and inclusion of foreigners.

Practical Cooperation and Institutional Adaptability

In several areas analysed, examples are identified that imply practical cooperation between the institutions, international organizations and the civil society, especially noted in the areas of asylum, social protection, and healthcare.

Civil society organizations provide legal aid, mediate communication with the institutions, secure translation and provide psychosocial support, thereby complementing the existing institutional capacity.

During the interviews examples were reported of proactive engagement on the part of administrative offices who, in specific cases, have taken additional activities to overcome administrative or language barriers. While these practices are not formalized, they show that the institutions dispose with professional capacity and preparedness for flexible resolution of complex situations.

Employers' Practices

The research identifies positive practices on the part of certain employers who engage a high number of foreign workers.

In one case, the employer has secured sports terrains for cricket, having in mind the cultural importance of this sport for workers from South Asia. In another example, the company organized preparation of meals adjusted to cultural and religious habits of foreign workers, including through engagement of cooks familiar with their traditional cuisine.

While it is a matter of individual initiatives, they show that some actors in the private sector recognize the fact that successful integration of foreign workers also depends on creation of working and living environment that takes into account their cultural and social needs.

Potential for Further Improvement

To large extent, identified positive practices are individual and depend on specific institutions, organizations or employers. At the moment, there is no comprehensive national policy or formalized intersectoral mechanisms that would systemically support access to rights and integration of foreigners.

The analysis, however, shows that the existing normative framework, experience acquired through practical cooperation and individual examples of institutional adaptability provide a good basis for development of a better coordinated and more sustainable system for integration of foreigners.

Conclusion

The analysis shows that the Republic of North Macedonia disposes with legal and institutional framework which, to large extent, provides access to basic rights and public services for foreigners. In most areas analysed, systemic legal limitations that would exclude foreigners from access to education, health protection, employment, social protection or legal protection are not identified. Practical implementation of these rights, however, remains heavily conditioned by efficiency of administrative procedures and capacity of the institutions.

The findings shows that biggest challenges do not arise from the normative framework, but from its implementation. Complex administrative procedures, limited institutional coordination, language barriers and limited availability of information impact timely and effective exercise of rights. In addition, lack of desegregated and systematically processed data limit the possibility for monitoring state-of-affairs and evidence-based policy creation.

At the same time, the analysis shows that practical operation of the system often depends on informal cooperation between the institutions, civil society organizations and international partners, as well as on individual engagement on the part of administrative officers. While these examples contribute to overcoming specific obstacles, they do not represent a replacement for systemically established mechanisms and do not provide equitable action-taking in all cases.

In parallel, the report identifies positive examples of institutional adaptability and good practice that show existence of capacity as baseline for building a more efficient system. It provides a good basis for further promotion of policies and mechanisms for integration of foreigners.

Under conditions of continuously increased number of foreigners, especially foreign workers, provision of effective access to rights represents an increasingly important aspect of good governance, the rule of law and fulfilment of international and EU commitments assumed by the state. In that regard, further enhancement of institutional coordination, strengthened administrative capacity, development of integrated data management systems, and promotion of public service accessibility are key preconditions for development of a more inclusive and more effective system for exercise of rights by foreigners.

Recommendations

Based on the analysis findings, a series of priority recommendations are identified for the purpose of improving access to rights for foreigners in the Republic of North Macedonia.

1. Strengthening institutional coordination and strategic management

- To establish formal mechanisms for coordination between the Ministry of Interior, Ministry of Labour and Social Policy, Ministry of Education and Science, Ministry of Health, Employment Service Agency and other relevant institutions.
- To develop standardized protocols on information exchange and coordinated action in the cases that concern foreigners.
- To update and effectively implement the Strategy for Integration of Refugees and Foreigners in the Republic of North Macedonia.

2. Improving data management and digitalization

- To establish an integrated system on data collection and exchange between the relevant institutions.
- To ensure regular record keeping and publication of desegregated data on foreigners according to citizenship, legal status, gender, age and employment sector, in compliance with the regulations on personal data protection.
- To digitalize administrative procedures related to residence, work permits, recognition of foreign education documents and other procedure relevant for access to justice, with a possibility for electronic monitoring of cases.

3. Improving access to public services and integration

- To provide information materials and electronic services about rights and administrative procedures relevant for foreigners in multiple languages.
- To establish mechanisms for easier access to translators and interpreters in administrative, health and court procedures, especially in languages that are more frequently spoken among foreigners.
- To secure Macedonian language courses, including additional educational and social support for pupils, students and persons with long-term residence in the state.
- To design long-term programs on integration of foreigners, including orientation about the institutional system, access to public services and support for social integration.

4. Enhancing protection of labour rights

- To improve coordination between the State Labour Inspectorate, Employment Service Agency and Ministry of Interior in respect to monitoring the position of foreign workers.
- To establish a system on record keeping and analysis of complaints and inspection procedures relating to foreign workers.

- To reconsider legal and administrative solutions that would make it easier for foreign workers to change their employer without automatic loss of residence status, in order to reduce the risk of labour exploitation and excessive dependence on the employer.
- To ensure that foreign workers receive information on their rights, working conditions and available protection mechanism in a language they understand.

5. Improving access to justice and protection mechanisms

- To improve information dissemination to foreigners about the possibilities for submission of complaints and use of legal protection mechanisms.
- To develop simple and multilingual mechanisms for submission of complaints, including through electronic platforms.
- To strengthen institutional capacity of the courts, inspection services and independent institutions, by means of additional human resource, continuous training and better access to translators and interpreters.
- To introduce regular monitoring and analysis of cases relating to foreigners, in order to ensure better identification of systemic challenges and improve access to justice.

6. Strengthening the role of civil society organizations

- To establish formalized mechanisms for cooperation between the institutions and civil society organizations that provide services for foreigners.
- To establish sustainable mechanisms for institutional support of free legal aid, psychosocial support and other services provided by civil society organizations, in order to avoid availability of such services to depend exclusively on project and donor funding.
- To ensure active engagement of civil society organizations in creation, implementation and monitoring of policies on integration and protection of foreigners' rights.

7. Strengthening institutional capacity and policy monitoring

- To establish continuous training programs for administrative officers who work with foreigners, with a focus on human rights, intercultural communication, antidiscrimination and enforcement of relevant national legislation and EU acquis.
- To establish a mechanism on regular monitoring and periodic evaluation of state-of-affairs relating to access to rights for foreigners through clearly defined indicators and regular publication of monitoring and evaluation results.

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Interviews and collected information

Semi-structured interviews and written information provided by:

- Ministry of Interior;
- Ministry of Education and Science;
- Ministry of Health;
- Ministry of Social Policy, Demographics and Youth (formerly Ministry of Labour and Social Policy);
- Employment Service Agency of the Republic of North Macedonia;
- State Labour Inspectorate;
- Ombudsman's Office;
- Commission for Prevention and Protection Against Discrimination;
- Constitutional Court;
- Public Prosecution Office of the Republic of North Macedonia;
- Social Work Centre – Skopje;
- UN Refugee Agency (UNHCR);
- Focus group with foreign female workers from Southeast Asia;
- Interviews with foreigners conducted as part of the research;
- Employers who engage foreigner workers;
- Representatives from civil society organizations that work in the areas of migration, asylum and protection of foreigners' rights.



