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AVOKATI I POPULLIT

O M B U D S M A N
Republic of Macedonia

**OMBUDSMAN
NATIONAL PREVENTIVE MECHANISM**

ANNUAL REPORT

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Abbreviations

APT	Association for the Prevention of Torture
LES	Law on Execution of Sanctions
PHI	Public Health Institution
PI	Public Institution
J3Y	Јавна здравствена установа
PCF	Penitentiary and Correctional Facility
PCI	Penitentiary and Correctional Institution
CPT	European Committee for the Prevention of Torture
MOI	Ministry of Interior
MLSA	Ministry of Labour and Social Policy
O	Ombudsman
O – NPM	Ombudsman – National Preventive Mechanism
NPM	National Preventive Mechanism
OSCE	Organization for Security and Co-operation in Europe
UN	United Nations
OPCAT	Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
PS	Police station
PSBC	Police station for border control
PSGC	Police station of general competence
PSBS	Police station for border surveillance
TTC	Temporary transit center
DES	Directorate for Execution of Sanctions
UNICEF	Детски фонд на Обединети Нации
UNHCR	UN High Commissariat for refugees
CCM	Center for Crisis Management
CSW	Center for Social Works

Dear All,

Herein we present the seventh Annual Report of the Ombudsman - National Preventive Mechanism which confirms the continuous efforts for a comprehensive fight against torture and zero tolerance in case of its existence.

The report contains an overview of the situation in the places of deprivation and restriction of the freedom of movement and analysis of the undertaken activities for prevention from torture and other cruel, inhuman or degrading treatment or punishment in these places.

The findings and the recommendations made to the competent authorities for overcoming the identified deficiencies resulted from total of 48 preventive visits, which the National Preventive Mechanism team conducted during 2017. The established practice of engaging experts from different profiles and institutions during these visits contributed to providing a multiprofessional approach in the work of the National Prevention Mechanism and further strengthening of the capacities.

However, I must emphasize that the implementation of the envisaged Work Program of the National Preventive Mechanism during 2017 mainly resulted from the cooperation that the Ombudsman established with the international organizations, above all with the Office of the High Commissariat for Refugees in Skopje (UNHCR), which within the signed Memorandum of Cooperation and this reporting year provided funds for temporary engagement of several persons who took part in the implementation of the responsibilities of the Ombudsman - National Preventive Mechanism.



OMBUDSMAN

Ixhet Memeti

A handwritten signature in blue ink, which appears to be 'Ixhet Memeti', written in a cursive style.

1

AUTHORIZATIONS AND ACTIVITIES OF THE NATIONAL PREVENTIVE MECHANISM

Authorizations and mandate of the National Preventive Mechanism

The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 provides absolute prohibition of torture and other forms of cruel and inhuman treatment. Taking into account that further measures are necessary to achieve the objectives of the Convention and in order to strengthen the protection of persons deprived of freedom through the use of extra-judicial remedies, the General Assembly of the United Nations has additionally adopted the Optional Protocol to the UN Convention against torture (OPCAT), which entered into force in 2006.

At the end of 2008, the Optional Protocol to the Convention against Torture (OPCAT) was ratified by the Parliament of the Republic of Macedonia, thus the Ombudsman was designated to act as a National Preventive Mechanism thereby undertaking the obligation to respect the commitments of the member-states of the UN for a comprehensive fight against torture and zero tolerance in case of its existence.

In 2009, with the amendments of the Law on the Ombudsman, a special unit was established within the Ombudsman, the National Preventive Mechanism with main task - prevention of torture and other cruel and inhuman or degrading treatment or punishment.

According to the Optional Protocol and the Law on the Ombudsman, the National Preventive Mechanism has the authority to regularly examine the treatment of persons deprived of freedom, make recommendations to the relevant authorities in order to prevent torture and other forms of inhumane treatment, as well as to submit proposals and perceptions regarding the existing or draft



legislation.

The National Preventive Mechanism has the authority to provide unhindered access to all places of deprivation of freedom, access to all information concerning the number of persons deprived of freedom, as well as access to information concerning the treatment of persons and the conditions for their deprivation of freedom.

The NPM conducts visits to the places of deprivation of freedom which it chooses to interview personally, or with an interpreter, any person of their own choice, and has the possibility to contact the Subcommittee on Prevention of Torture, to send information and to hold meetings with it.

The National Preventive Mechanism has also prepared a separate Rulebook on the manner of prevention of torture and Methodology on the manner of carrying out regular and subsequent preventive visits to places where persons deprived of freedom are or may be housed.

The National Preventive Mechanism also acts in accordance with international standards, common law and jurisprudence of international courts and bodies, in the area of protection against torture and treatment of persons deprived of freedom.

Organizational structure and budget of the National Preventive Mechanism

The Law on the Ombudsman foresees the National Preventive Mechanism to function within the Ombudsman institution as a separate organizational unit.

Republic of Macedonia, as a state that has ratified the Optional Protocol to the Convention against Torture, undertakes to provide financial resources for the staffing of the National Preventive Mechanism as one of the preconditions for its smooth and successful functioning.

However, for the third year already, the state does not provide the necessary financial resources for employing persons in vacant positions, thus jeopardizing the existence of the National Preventive Mechanism and the implementation of the envisaged competences.

In the course of 2017, the National Preventive Mechanism continued to function with temporarily engaged persons and with funds provided by the UN High Commissariat for Refugees - UNHCR.

Although according to the signed Memorandum of Cooperation with the High Commissariat for Refugees, UNHCR, the main task of



the persons involved was to monitor the conditions, handling and treatment of migrants/refugees in accommodation facilities, part-time employed persons failed to realize the plan envisaged in the annual program and to make visits to other places of deprivation of freedom.

In this regard, during 2017, 18 preventive visits were conveyed to places of deprivation of freedom and restriction of freedom of movement and 30 visits to places where migrants/refugees are accommodated/retained.

The Ombudsman retains the position that personnel, material and financial resources that are necessary for the purpose of fulfilling the competencies of the National Preventive Mechanism shall be provided by the Budget of the Republic of Macedonia, and that the state should not allow the NPM to work with funds received through donations.

In the reporting year, the National Preventive Mechanism also had a budget that included funds for engaging external associates and costs for publishing the Annual Report.

Nevertheless, despite carrying out preventive visits to places of deprivation, the NPM has the mandate to carry out promotional, educational and international activities for which the budget for the National Preventive Mechanism does not provide funds.

The envisaged budget funds are insufficient in terms of covering the expenses for conducting visits and for participating in international activities within the networks and bodies of the National Preventive Mechanism.

Acting upon the recommendation of the Association for Prevention of Torture for the involvement of persons from other professions who will assist with their expertise in the preparation of a comprehensive analysis on the possible risks of torture and other forms of inhumane treatment, the National Preventive Mechanism re-signed Memoranda of Cooperation with several professional associations in 2017.

In this regard, Memorandum of cooperation were concluded with: the Association of Psychiatrists, the Association of Social Workers of the City of Skopje, the Chamber of Psychologists, the Association of Special Education and Rehabilitators of the Republic of Macedonia, the Association of Forensic Artists at the Institute of Forensic Medicine at the Medical Faculty-Skopje, the Association of Medical nurses, technicians and obstetricians of the Republic of Macedonia, the Association for Criminal Law and Criminology, as well as the Macedonian Young Lawyers Association, the Citizens' Association "Legis", the Helsinki Committee for Human Rights and the Association for Action against Violence and Human Trafficking, "Open Gate-La Strada".



External experts provided expert and professional approach in analyzing the situation, treatment and conditions in the places of deprivation or restriction of the freedom of movement, and their expert analyzes were included in the special reports that the NPM submitted to the competent authorities and institutions.

Cooperation with authorities and institutions

The Law on the Ombudsman in Article 31-b stipulates that all managerial officials and authorized officials in the bodies, organizations and institutions in which persons are deprived of freedom are obliged to provide the Ombudsman-National Preventive Mechanism with unhindered access to all documents and information relating to persons deprived of freedom, as well as free access to places of deprivation of freedom and their facilities.

At the same time, these persons are obliged to examine the indications and recommendations of the Ombudsman - National Preventive Mechanism and notify them not later than 30 days from the day of receiving the special report, on possible measures of application and on the directions of acting.

During the reporting year, the National Preventive Mechanism realized constructive cooperation with the officials in the institutions where the preventive regular and subsequent visits were carried out.

In doing so, the National Preventive Mechanism team conducted an unobstructed insight into the material conditions of the places where persons deprived of freedom stay or are detained and conducted conversations with a large number of officials and persons deprived of freedom of their own choice, without supervision and witnesses. The National Preventive Mechanism team was not restricted in any institution, neither was the freedom of choice of persons nor the place for conducting a conversation.

As for the previous year, this year as well, NPM received timely answers in the legally established deadline for the part of the sent separate reports, but in certain cases, due to failure to provide an answer, written urgencies were submitted to some institutions and competent ministries.

However, despite the submissions, certain ministries did not act upon the requests of the Ombudsman. In that sense, the Ministry of Health did not submit a response after the submitted report on the visit to the PHI Psychiatric Hospital "Negorci", and the Ministry of Labor and Social Policy in relation to the report on the Acceptation Center for asylum seekers "Vizbegovo".

Also, the Crisis Management Center did not submit the requested response for ATC "Tabanovce", and the Ombudsman did



not receive a response to the submitted report or from the management of the Acceptation Center for foreigners.

Initiatives and opinion

The National Preventive Mechanism participated in a meeting with representatives from the Ministry of Interior, inspecting the Review of the Standard Operating Procedures for the Treatment of Persons Deprived of Freedom made by the international consultant. At the meeting, the representatives of NPM had the opportunity to submit their suggestions and opinions regarding the Review.

After the meeting, a revised version of the Standard Operating Procedures was elaborated, which was again submitted for an insight and opinion to the National Preventive Mechanism.

The opinion on the revised version of the Standard Operating Procedures is an integral part of this report and is laid down in Annex 1.

International activities and cooperation of the National Preventive Mechanism with international authorities

Regarding the international activities in 2017, representatives of the Ombudsman - National Preventive Mechanism had active participation in several conferences and workshops that were held on various thematic contents.

Representatives of the National Preventive Mechanism participated in the meetings within the South East European NPM network that took place in Belgrade - Serbia and Podgorica - Montenegro, where they discussed topics that are of interest for the fulfillment of the mandate of the national preventive mechanisms from the region.

Also, the National Preventive Mechanism attended several working meetings in Brussels - Belgium, organized within the activities of the European Network of National Institutions for the Protection of Human Rights, as well as in Casablanca, Morocco, where a training session was organized on the topic "Deontology of the security forces and rights of migrants during migration movements: the role of the Ombudsman Institutions."

At the Conference held in Sarajevo on the topic "Economic and Social Rights of Forced Displaced Persons from the Conflict in the Former Yugoslavia", organized by the Council of Europe, the representative of the NPM presented the situation of Kosovo refugees and displaced persons in the Republic of Macedonia.



At the end of the year, at the invitation of the Ombudsman Institution of Spain, a representative of NPM participated in a study visit as part of a working group of migrant children within the Ombudsman Association of the Mediterranean, in Madrid - Spain.

NPM also attended the European Forum of National Preventive Mechanisms, held in Prague, Czech Republic, organized by the Czech Ombudsman.

In November 2017, the National Ombudsman - National Preventive Mechanism in cooperation with the United Nations High Commissariat for Refugees organized a Regional Conference on the topic: "Integration of Kosovo refugees, permanent solutions and voluntary return".

At the conference, in addition to the National Preventive Mechanism of the Republic of Macedonia, regional representatives of the Ombudsman Institutions from the Republic of Albania, the Republic of Montenegro and the Republic of Kosovo, as well as representatives of state bodies, NGOs and international organizations, presented their experiences regarding the handling of the problems faced by the refugees from the Kosovo crisis.

In order to find easier solutions for the mentioned problem, a survey was conducted by an engaged external expert, which gave a more comprehensive overview of the situation and problems faced by Kosovo refugees, with conclusions and appropriate recommendations on the way of their settling.

Visit of the Subcommittee on Prevention of Torture (SPT)

The Subcommittee for Prevention of Torture, in accordance with the mandate and competencies set forth in the Protocol to the Convention against Torture, visited the Republic of Macedonia in the period from 23rd to 29th of April.

During the visit, besides representatives of the state authorities and other bodies and organizations, the Subcommittee had a meeting with the Ombudsman and the representatives of the National Preventive Mechanism.

At the meetings the mandate, organization and manner of acting of the National Preventive Mechanism and the possibilities for strengthening and improving the capacities of the mechanism were discussed.

In order to better familiarize with the work of the NPM in practice, representatives of the Subcommittee realized a joint visit with the National Preventive Mechanism at the Detention Department of the Prison Skopje.



After the visit, the Subcommittee for Prevention of Torture prepared a special report to the National Preventive Mechanism with specific conclusions and recommendations, for which the Ombudsman - National Preventive Mechanism decided to give permission to be published.

Link to the published Report:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fOP%2fMKD%2f2&Lang=en

Activities of the National Preventive Mechanism at national level

The National Preventive Mechanism attended numerous workshops and trainings that were organized in the state, together with state institutions and bodies, representatives from the civil sector and international organizations.

In that regard, the representative of the NPM participated in a conference held in Strumica on "The role of municipalities in the integration of refugees in the Republic of Macedonia", organized by the Macedonian Young Lawyers Association, on which the challenges faced municipalities in the process of integration of refugees were presented.

The final phase of the project "Strengthening local actors in the process of integration of refugees in Macedonia" was marked by a conference held in Ohrid, attended by representatives of the NPM, where a research was made within the framework of the project.

Representative from the Office of the Ombudsman - National Preventive Mechanism attended a Consultative Workshop on the Strategy for the Integration of Refugees and Foreigners 2017-2027, organized by the Ministry of Labor and Social Policy, with the support of the United Nations High Commissariat for Refugees.

Promotion of the National Preventive Mechanism and strengthening of capacities

Within the promotional activities, a representative of the NPM participated in training - a summer school entitled "Application of the United Nations Standard Minimum Rules for the Treatment of Convicted Persons - Mandela Rules - for Monitoring Penitentiary Institutions", which was conducted in Bristol, great Britain.

At the invitation of the United Nations High Commissariat for Refugees, and in cooperation with the European Union, representatives of the NPM attended a training held in Beirut-Lebanon, on the



topic "Monitoring Immigration Detention", and participated in the training on "Different alternatives to detention in the context of the global refugee crisis", held in Brussels - Belgium.

At the same time, the National Preventive Mechanism attended several workshops and trainings that were organized in the country, together with state institutions and bodies, representatives from the civil sector and international organizations.

In the first half of 2017, the National Preventive Mechanism organized a workshop on the topic "The situation with the refugees found in the Republic of Macedonia from the period of the Kosovo crisis", attended by representatives of the Ministry of Internal Affairs, the Ministry of Labor and Social Policy, the Ministry of Justice, representatives from the judiciary, representatives of the non-governmental sector and international organizations directly involved in solving the problems of the refugees from the Kosovo crisis.

The workshop presented the joint conclusions that resulted from the work of groups of all participants, through which possible solutions for overcoming and solving some of the problems faced by the refugees from Kosovo were proposed.

The results from the workshop were further shared and discussed at working meetings that the National Preventive Mechanism held with representatives of state institutions, as well as domestic and international organizations that are active stakeholders in the whole process of solving this multi-year problem that these people face.

A representative of the National Preventive Mechanism participated in the preparation of the Public Policy Document "Improving access to the rights and protection of refugees and migrants with a focus on vulnerable groups", prepared by the Citizens Association "Legis", publicly presented and published towards the end of 2017.

Within the promotional activities, the NPM also prepared a brochure for the refugees from the Kosovo crisis, named "Permanent Solutions and Voluntary Return".

Visibility and transparency of operations

During 2017, the National Preventive Mechanism continuously informed the public with short announcements published on the web site for all activities related to the regular and subsequent visits and other activities carried out at international and national level.

http://www.ombudsman.mk/ombudsman/MK.nacionalen_preventiven_mehanizam

All articles published on the website are available in Macedonian, Albanian and English, thus enabling greater transparency of data and information.



**Presentation
and promotion
of the Annual
Report**

At a press conference held on 18.07.2017 the Ombudsman presented the Annual Report of the National Preventive Mechanism for 2016.

According to the established practice from the previous years, this report was submitted to the Government of the Republic of Macedonia, the Parliament of the Republic of Macedonia, the competent ministries, and to other bodies and institutions where deprivation or restriction of freedom of movement occurs.

The Annual Report was also submitted to the United Nations Subcommittee on Prevention of Torture (SPT), the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Association for the Prevention of Torture (APT), the High Commissariat the United Nations for refugees (UNHCR), and other international institutions and organizations working in the field of prevention and protection of human rights.

2

VISITS TO POLICE STATIONS AND CONCLUDED CONDITIONS

The Ombudsman-National Preventive Mechanism, within its mandate and competencies, continued in 2017 to implement the obligations arising from the Optional Protocol to the United Nations Convention against Torture and the efforts to combat torture and zero tolerance, in the case of its existence.

Visits to police stations during 2017 were conducted without prior announcement by the NPM team, in accordance with the previously established Annual Program for Preventive Visits.

Most of the visits by the NPM team were conducted in cooperation with external associates from several associations with which the Ombudsman - National Preventive Mechanism concluded a Memorandum of Cooperation, which were previously familiar with the monitoring methodology and the manner of acting of the National Preventive Mechanism.

In the course of 2017, the National Preventive Mechanism - NPM conducted a total of 13 preventive visits to police stations, of which 12 were regular visits and 1 subsequent visit, conducted at the Police Station Ohrid. The NPM conducted regular visits to police stations of general competence: PS Drachevo, PS Aerodrom, PS Kumanovo, PS Sveti Nikole, PS Makedonski Brod, PS Veles, PS Valandovo, PS Bitola, PS Vinica, PS Kichevo and PS Strumica, and 1 regular visit was conducted to the police station for border surveillance Sopot.

During all realized visits, the NPM team was faced with efficient and constructive cooperation by the officials and managers in the police stations, whereby it was given the opportunity to see the complete documentation, to have an insight in all the premises and the material capacities available to them, conversations with all persons of their choice, in full confidentiality and without any presence and supervision by officials.

In that sense, NPM concluded that in 9 of the total of 12 police stations, the premises intended for detention of persons did not meet the minimum stipulated international standards for detention of persons.



At the same time, it was established that none of the police stations has foreseen or provided separate premises for interrogation of and conversation with persons deprived of freedom and detained persons, and only 2 police stations (PS Bitola and PS Strumica) have adapted premises for conversation with minors, in accordance with the provisions of the Law on Childrens' Justice.

In the visited police stations, the NPM identified the following serious problems and shortcomings: in 6 of the visited police stations lack of access ramps for persons with physical disability was established, there is a lack of separate toilets for officials and detainees at the police stations, as well as the problem with the technical - material assets, on which almost all commanders from the visited police stations complained.

Although NPM received answers from the Ministry of Interior and the police station commanders related to the submitted reports from the conducted visits, the problem with the implementation of the given recommendations and guidelines for improvement of the negative conditions remains.

In this regard, from the responses submitted by the Ministry of Interior and the police station commanders, it is obvious that efforts were being made to improve some of the omissions and shortcomings that depend on the police station itself.

However, regarding the indications and recommendations of the NPM for the renovation and adaptation of the premises for interviewing and interrogation of persons deprived of freedom, retained or detained persons, as well as separate rooms for conversation with minors, the Ministry of Interior submitted a response that in 2017 year there are no plans for renovation of facilities, i.e. there are no funds allocated for this purpose.

The National Preventive Mechanism expresses serious concern that, despite years of alarming and recommending improvement of the material conditions in the police stations, the situation remains unchanged.

It is evident that the recommendations of the Ombudsman - National Preventive Mechanism whose implementation depends on the provision of significant financial resources, remain unrealized with the explanation that funds can not be provided.

However, the fact that the Budget of the Ministry of Interior for 2018 has envisaged financial means for remediation of 15 police stations announced by the Minister of Interior is pleasing.

In that regard, regarding the recommendations for appropriate equipping of the premises in which the persons deprived of freedom with audio or video surveillance are being examined, the Ministry of Interior responded that the Public Procurement Plan for 2018 provides for procurement for adaptation and adjustment of the premises for interrogation of persons deprived of freedom and detained persons.

What remains for the Ombudsman - National Preventive Mechanism throughout its mandate is through the conduct of subsequent visits to the police stations and other places where persons deprived of freedom or persons with restricted freedom of movement are accommodated is to continuously monitor the situation in these places, as well as the degree of implementation of the recommendations already given.



2.1

POLICE STATION OF GENERAL COMPETENCE AERODROM



On 21.03.2017, the National Preventive Mechanism conducted regular unannounced visit to **Police station Aerodrom**.

The Police station Aerodrom is organized within the Sector for Internal Affairs Skopje, and its local competence for carrying out police affairs covers the territory of the territory of the Municipality of Aerodrom.

The commander of the police station informed that the number of uniformed police officers is quite below the number envisaged in the Act on systematization and organization of workplaces and is insufficient for the efficient operation of PS Aerodrom.

There are stairs at the entrance of the police station, but no access ramp is placed for persons with certain physical disability.

PS Aerodrom is located in an old barack (the original purpose was to operate only as a temporary police facility) in the Municipality of Aerodrom and is a police station of general competence.

From the conversation with the commander of the Police Station, information was received that regular and continuous trainings for the employees are conducted on a variety of thematic contents.



2.1.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

Considering that a special room for conversation has not been defined and adapted in the Police Station, and conversations with detainees and persons deprived of freedom are usually performed in the official premises of the inspectors from the Department of Property and Juvenile Delinquency, the National Preventive Mechanism team also inspected these premises and concluded that the rights of these persons are not presented anywhere.

The lack of a special room for conversation with minors that instructs in PS Aerodrom resulted with holding the conversations with the children in the room of the Inspector for Juvenile Delinquency, in the presence of the child's parent and a professional social worker.

The police station of general competence Aerodrom does not have a separate room for conversation and interrogation with persons deprived of freedom, persons in custody and detained persons.

In the Police Station Aerodrom there is no separate room for conversation with minors in accordance with the provisions of the Law on Children's Justice.

Detention rooms

Police station Aerodrom does not have a separate room for keeping retained persons and persons deprived of freedom, so in any situation when there is a need for detention of a certain person, the person is immediately referred to one of the other police stations that have adequate conditions for detention of persons (PS Kisela Voda and PS Gazi Baba).

During the visit in 2011, the NPM team recommended that the current detention room in PS Aerodrom should not be used for long-term detentions due to the non-fulfillment of the basic minimum standards for detaining persons deprived of freedom.

During the conducted inspection of the regular unannounced visit on 21.03.2017, the National Preventive Mechanism concluded that the given recommendation was implemented so that the former room for short-term detention was re-used in a room used for copying official material in PS Aerodrom.



Sanitary knot

In PS Aerodrom there is only one toilet used by officials and persons deprived of freedom/detained persons. This indisputably points to the need for separate toilets for persons deprived of freedom and the parties, which will be regulated in accordance with the security principles for the protection of this category of persons.

2.1.2. Exercise of the rights of the detainees

From the Inspection at the Police Station Aerodrom, NPM concluded that the rights of the citizens and the Code of Police Ethics are prominent in visible places in the corridor before entering the duty room, as well as in the office of the shift manager. One of the posters was prepared in 3 languages (Macedonian, Albanian and English), and the second in 7 languages (Macedonian, Albanian, English, Turkish, Romany, Vlach and Serbian).

At the moment of visiting PS Aerodrom, the National Preventive Mechanism found two persons deprived of freedom who were kept in the Police Station and placed in one of the interrogation rooms used by the inspectors for property delinquencies and juvenile delinquency.

The NPM team interviewed these persons with regard to the treatment by the police officers and the level of exercise of their rights.

It was established from the conversation that these persons were caught during the act of committing a crime (heavy theft) in the early hours of 4:00 am and were immediately deprived of freedom by uniformed police officers who took them to the police station.

The persons informed the NPM team that the attitude of the police officers at the moment of deprivation of freedom, as well as the entire detention period was correct and they were immediately informed about the right to an attorney, medical assistance and the right to inform a third person about their deprivation of freedom and detention. They were also provided with a meal of their own funds, in accordance with the MIA's standard operational procedures that provide for a minimum of one meal during the detention period (if the person has been held for more than 6 hours).

However, the National Preventive Mechanism expresses serious concern over the fact that these persons were kept in the inspectors' room for 8 hours, in a room that should never be used for long-term detentions. Precisely because of the fact that PS Aerodrom does not have a detention facility, these persons, and all those who with the Detention Order should be retained for more than 6 hours, should be referred to PS Kisela Voda or PS Gazi Baba as police stations with appropriate detention premises.



2.1.3. Records and registers of detained persons

From the insight in the books of records it can be concluded that they are kept neatly, a chronological flow of the recorded events is recognized, and with few exceptions, there are no incomplete columns or the use of a correction fluid.

When checking the compliance of the events inscribed in the Register of daily events with the other books for record, the chronology and the connection of the recorded events is recognizable.

From the insight in the Register of records of persons deprived of freedom and detained persons at Police Station Aerodrom, it was concluded that from the beginning of 2017 until the day of the visit, 43 persons were deprived of freedom, and only one case according to the recorded event when a person was detained for more than 6 hours and transferred to the Police Station Kisela Voda (because PS Aerodrom does not detain persons at all).

It is symptomatic that in all records it is noted that persons deprived of freedom are "detained" deprived for several hours (no more than 3 to 4 hours), and exactly the deprived persons on the day of the visit by the NPM team were detained above 8 hours in the Police Station itself.

2.1.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a Special Report with specific recommendations for the established conditions of the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station Aerodrom.

In this regard, these are part of the submitted recommendations and the answers of the Ministry of Interior. The Ombudsman - National Preventive Mechanism did not receive any response to the recommendations made by the commander of the PS Aerodrom despite the sent Urgency.



Review no. 1

Review of given recommendations to the Ministry of Interior	
Recommendations	Response to recommendation
The Ministry of Interior shall provide for employment of additional staff in PS GC Aerodrom, in accordance with the Act on Systematization and Organization of the Workplaces.	SIA Skopje will consider the possibility of filling in the positions according to the systematization act with police officers from other police stations in order to implement the given recommendation.
A separate room for interviewing and interrogating detainees and persons deprived of freedom or retained persons, as well as a special room for conversation with minors shall be provided or adapted.	The draft budgetary calculation for 2018 will foresee funds for renovation of detention facilities, as well as adaptation of special rooms for interviewing and interrogation with detainees and persons deprived of freedom or retained persons, as well as a special room for conversation with minors.
The number of official vehicles in Police Station Aerodrom shall be increased.	The draft budget calculation for 2018 also provides funds for the procurement of official vehicles for the needs of PS GC Aerodrom.

Review no. 2

Review of given recommendations to the PS Aerodrom	
Recommendation	Response to recommendation
At the entrance of PS Aerodrom an access ramp for people with certain physical disability shall be built.	No response was received from Police Station Aerodrom, until the preparation of the Annual Report on the given recommendations despite the sent urgency from the Ombudsman - National Preventive Mechanism.
Police Station Aerodrom shall urgently stop the practice of keeping persons in the police station's premises.	
Separate toilets shall be adapted for detainees and persons deprived of freedom, regulated in accordance with the security principles for the protection of this category of persons.	



2.2

POLICE STATION OF GENERAL COMPETENCE DRACHEVO



On **23.03.2017**, the National Preventive Mechanism conducted a regular unannounced visit to **Police Station Drachevo**.

The police station Drachevo is organized within the Sector for Internal Affairs in Skopje, and its local competence for carrying out police affairs covers the area of settlements Zelenikovo, Studenicani, the village of Drachevo and the settlement of Drachevo.

The police station Drachevo is located in an old and dilapidated barrack, which in the past was used as an ambulance and is located in the settlement of Drachevo, municipality of Kisela Voda.

From the conversation with the commander of the Police Station, information was received that regular and continuous trainings for the employees are conducted on a variety of thematic contents.

At the entrance of the Police Station, no access ramp is built that also provides easy access to the official premises to all persons with certain physical disability.

2.2.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

Considering that there is no specific room for conversation in the Police station, and the conversations with detainees and persons deprived of freedom are usually carried out in the official premises of the inspectors, the National Preventive Mechanism team



has inspected these premises and it concluded that the rights of these persons are not highlighted.

It is the lack of a separate room for conversation with minors, in PS Drachevo that instructs the conversations with the juveniles to be conducted in the room of the inspector for juvenile delinquency, in the presence of the child's parent and a professional - a social worker.

The police station of general competence Drachevo does not have a separate room for conversation and interrogation with persons deprived of freedom, retained and detained persons.

In Police Station Drachevo there is no special room for conversation with minors, in accordance with the provisions of the Law on Children's Justice.

The National Preventive Mechanism concluded that the facility in which the Police Station is located is very old and dilapidated. In the corridors and in the offices, moisture was observed, plastering of the plaster from the walls and damage to the ceiling construction.

Detention rooms

During the inspection in these premises, the National Preventive Mechanism team encountered signs and indicators indicating that detention is possible in the premises (one bed was equipped with bedding). The very fact that they are not sealed or re-used for another purpose, points to the possibility, that is, the risk that they have been or will be used for detention.

The police station Drachevo has two premises for individual detention, which due to non-compliance with the general norms and standards for detention of persons from 20.09.2012 are not used for detention, for which information was sent to the NP-NPM No. 28-4624/2 from 20.09.2012, by the SIA-Skopje.

Sanitary knot

The toilet has mirrors and small windows, which points to the possibility of self-harming the persons deprived of freedom at the Police Station, which is why the National Preventive Mechanism recommends that special toilets be built for the officials and detainees, i.e. persons deprived of freedom.

Within the Police Station there is one toilet (male and female), which is simultaneously used by the officials and detainees, i.e. persons deprived of freedom. The toilets are in extremely poor material conditions and they are spreading incurable smell of urine and faeces.



2.2.2. Exercise of the rights of the detainees

Leaflets, translated into several languages, with the rights of detainees and persons deprived of freedom, are also found in the shift manager's office, where the initial conversations with these persons are usually performed.

The National Preventive Mechanism team did not notice that there were prominent lessons about the rights of detainees and persons deprived of freedom, in the premises where interviews with these persons are being conducted by the inspectors.

In this regard, the National Preventive Mechanism recommends posters with quotes about the rights to be placed in a prominent place in all premises where conversations are conducted with the summoned, detained or persons deprived of freedom.

In the Police Station Drachevo there is no audio-video monitoring in the interior or exterior (yard) of the building, nor does this Police Station have audio or video surveillance equipment in the interrogation premises.

In order to prevent the torture or other inappropriate treatment of detainees or persons deprived of freedom during the interrogation, the National Preventive Mechanism recommends that the premises where these persons are interrogated be equipped with audio or video surveillance equipment.

2.2.3. Records and registers of detained persons

From the insight of the mentioned registries, the team of the National Preventive Mechanism established that they are chronologically conducted, no correction fluid is used at all and that, with few exceptions, there is a numerical connecting reference between the Register of daily events with other registers.

During the inspection of one of the files kept for detained persons, the team of the National Preventive Mechanism also noticed official information stating the use of means of coercion, for which accordingly a special file was prepared, which contains the assessment of the justification, and the correctness of the use of the means of coercion, but still in the Registry for the use of means of coercion this event and such facts were not recorded and documented at all.

Bearing in mind that these are official records in which data and information must literally reflect the actual situation, the National Preventive Mechanism expresses serious concern about the way they are managed and therefore recommends that in the future more care is to be taken to documenting events in the official registers, which must correspond to the actual factual situation and to the data contained in the individual case files.



2.2.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a Special Report with specific recommendations for the determined conditions of the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station Drachevo.

In this regard, these are part of the submitted recommendations and the responses of the Ministry of Interior and the commander of PS Drachevo.

Review no.3

Review of given recommendations to the Ministry of Interior	
Recommendation	Response to recommendation
PS Drachevo shall be relocated into a building of solid construction, which will improve the working conditions of the employees and the conditions for accommodation of persons deprived of freedom, or in the shortest period of time, specified activities shall be undertaken for a complete reconstruction of the existing capacity.	The Public Security Bureau has prepared an Action Plan for the implementation of the said strategy, in which the priority is the construction of a new building for PS GC Drachevo until 2020.
A separate room for conversation with detainees and persons deprived of freedom shall be adapted, as well as a special room for interrogation and conversation with minors in accordance with the Children's Justice Act.	No specific response has been received from the Ministry of the Internal Affairs on this specific recommendation.

Review no.4

Review of given recommendations to the PS Drachevo	
Recommendation	Response to recommendation
The detention rooms shall be sealed for which a decision has been taken not to be used for that purpose and to be turned into a warehouse or used for any other purpose.	Detention rooms are completely reused and are used by the Material Handling Handler for storing various records from previous years.



Review of given recommendations to the PS Drachevo	
Recommendation	Response to recommendation
In all rooms where conversations are conducted with detainees or persons deprived of freedom, lessons shall be highlighted about their rights in several languages.	In all offices on the prominent place the rights are highlighted, i.e. on the walls of the premises of the PS GC Kisela Voda, PS Aerodrom and PS Drachevo, as well as in the room which is being additionally equipped for interrogations.
Special toilets for detainees and persons deprived of freedom shall be adapted, regulated according to the security principles for the protection of this category of persons.	On several occasions requests and problematic information were sent to SVR Skopje regarding the condition of the toilets, and in general the overall condition of the facility of the PS GC Drachevo for their renovation.

2.3

POLICE STATION OF GENERAL COMPETENCE KUMANOVO



On **29.03.2017**, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station Kumanovo**.

The Police Station Kumanovo is the largest police station, and it includes the Police Office in Staro Nagoricane and the Police Department in Matejche, and its local jurisdiction for conducting police affairs covers the territory of the municipalities of Kumanovo,



Lipkovo and Nagorichane.

The police station Kumanovo is located in the city itself in an old building, which was built in 1911 and in which the offices of the Sector of Internal Affairs Kumanovo are located.

From the conversation with the commander of the Police Station, information was obtained that regular and continuous trainings for the employees are conducted on a variety of thematic contents.

At the entrance of the Police Station, an access ramp has been built, enabling easy access to the official premises to persons with a certain physical disability.

2.2.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

From the conversation with the shift manager and the juvenile delinquency inspector, the NPM team was informed that no detention of minors is conducted in the detention facilities, but in exceptional situations where there is a need for detention, juveniles are placed in one of the meeting rooms, which are located right next to the shift room.

In any arrest, that is, deprivation of freedom or detention of a juvenile, his parents are summoned immediately and a defending counsel is provided. In this regard, from the conversation with the officials, the National Preventive Mechanism team concluded that the police officers are facing problems in providing representatives from the Center for Social Work, when needed.

The National Preventive Mechanism concluded that the Police Station Kumanovo is not equipped with a separate room for interviewing and interrogating persons deprived of their freedom, detained and retained persons, nor with a special room for conversation with minors.

The National Preventive Mechanism concluded that there is no audio / video monitoring system installed in the premises in which the detainees are detained, i.e. the persons deprived of their freedom and the retained persons.



Detention rooms

The rooms are located in the left ground part of the station, and from the other official premises, they are separated by security doors with bars, which are accessed through an unilluminated corridor.

Namely, the established standards stipulate that the police premises used for one person for stays of more than a few hours should be with the size of 7m², 2m distance between the walls and 2.5m distance between the floor and the ceiling.¹

The police station Kumanovo has 5 detention rooms, which are used for collective accommodation of detained persons, so that in 2 of the rooms there are 3 beds, while in the other 3 rooms there are 2 beds.

The detention rooms in which 3 beds were placed, have a surface area of 10.26 m², while the rooms with 2 beds have the surface area of 6.7 m², which points to the fact that these premises do not meet the envisaged international standards.

Sanitary knot

Within the Police Station Kumanovo there are separate toilets for the detainees in the PS Kumanovo and for the employed officials.

In the part where the detention rooms are located, there are separate toilets that are used exclusively by detained persons. At the moment of the visit from the inspection in the toilets, the NPM concluded that they are functional, with 1 tap and 2 sanitary knots, yet they are not in a proper condition, i.e. there is a large amount of moisture.

2.3.2. Exercise of the rights of the detainees

The National Preventive Mechanism concluded that posters in several languages with the rights of detainees, persons deprived of their freedom and retained persons, except in the hall, are prominent in the office of the shift manager as well as in the corridor on the upper floor where the remaining official rooms.

The NPM determined that the citizens can file complaints against the actions of the police officers directly to the Sector for Internal Affairs, through the special box for that purpose set at the entrance of the Police Station.

The National Preventive Mechanism Team was also informed that the Police Station does not have a special food budget for detainees, that is, persons deprived of freedom

¹ Standards of the European Committee for the Prevention of Torture: Extracts from the Second General Report (CPT / Inf (92) 3): 43)



and detained persons, although, in accordance with the Standard Operating Procedures for the Treatment of Detained Persons, it is foreseen that any person retained more than 6 hours are followed by a meal.

2.3.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in correctly and legibly and that the books have a logical course and follow-up of events, without redrawing any of the rubrics. What is noted as a positive practice is that it is the recapitulatory of events at monthly level in this Police station, which provides better visibility and insight into the recorded events.

From the inspection conducted in the Records for the use of means of coercion, it was determined that during 2017, until the day of the visit, there were 8 cases of use of means of coercion by a police officer.

In this record, which is of exceptional significance for detecting possible risks of torture and other forms of inhuman treatment or punishment, it can be concluded that in all cases the police officers used tying means and in all cases the use was assessed as justified by the commander of the police station.

2.3.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a Special Report with specific recommendations for the determined conditions of the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station Kumanovo.

In this regard, the recommendations below are part of the submitted recommendations and the responses of the Ministry of Interior and the commander of the PS Kumanovo.



Review no.5

Review of given recommendations to the Ministry of Interior	
Recommendation	Response to a recommendation
The premises in which persons deprived of freedom are examined or detained and retained persons shall be equipped with audio or video surveillance.	The Procurement Plan of the Ministry of Interior for 2018 provides for procurement for this purpose (adaptation and adjustment of the premises for interrogation of persons deprived of their freedom and detained persons in the Police stations).
A separate room for interrogation and conversation with minors shall be accommodated in accordance with the Law on Childrens' Justice.	The Ministry of Interior in the budget for previous years, for maintenance of facilities did not have financial means for reconstruction and rehabilitation of the premises for detention and detention in the police stations.

Review no.6

Review of given recommendations to the PS Kumanovo	
Recommendation	Response to a recommendation
The detention rooms with the surface area of 10.26m ² , shall not be used for detentnion of more than 2 persons at the same time, while the rooms with the surface area of 6.7m ² shall be turned into rooms for individual detention of persons.	The detention rooms are with the area of 10.26m ² . In the same no more than two persons are retained, and in the rooms with area 6.7m ² up to one person is retained and is handled following the recommendation.
Accurate and detailed recording of the hours and duration of interviews with detained persons in the record of detention shall be kept.	The records of detention keep a precise and detailed record of the hour and duration of the interview conducted, and is handled following the recommendation.



2.4

POLICE STATION OF GENERAL COMPETENCE MAKEDONSKI BROD



On **11.04.2017**, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station Makedonski Brod**.

The police station Makedonski Brod is a police station of general competence within the Sector for Internal Affairs - Bitola, with a police office in the village of Samokov. The local competence for carrying out police affairs covers the area of the municipalities Makedonski Brod and Plasnica.

The police station Makedonski Brod is located in a building of solid construction, which has basement rooms, ground floor and one floor. The building is divided into two parts: the right or the so-called "old part" and the left or the so-called "new part".

From the conversation with the commander of the Police Station, information was received that regular and continuous trainings for the employees are conducted on a variety of thematic contents.

At the main entrance of the PS Makedonski Brod there is no access for persons with a certain physical disability, but an access ramp is placed at the rear entrance of the station, from there is also access to all the interior premises of the Police station.



2.4.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

There is no special inspector for juvenile delinquency at the Police station, and interviews with minors are conducted by inspectors for general criminals who have previously undergone training for dealing with juveniles.

The National Preventive Mechanism was informed that interviews with minors are usually conducted by inspectors in the premises of the Center for Social Work or at the local school in Makedonski Brod, and in exceptional situations also within the Police Station, in the premises of the inspectors.

The National Preventive Mechanism concluded that the Police Station Makedonski Brod does not have a separate room for conversation and interrogation of persons deprived of their freedom, detained and retained persons.

The National Preventive Mechanism concluded that the Police Station does not have a separate room for conversation with minors, nor does it have a special room for detaining juveniles.

Detention rooms

Namely, out of the total of 4 premises whose primary purpose was to detain persons, the officials informed us that only one room is used for detaining persons, one room with two beds is not used due to the failure to meet the minimum stipulated standards for detention, while the other 2 premises are used for other purposes, one for storing confiscated items, and one for storing archive material.

From the performed survey of the premise, the NPM concluded that the minimum required standards for quadrature were not met, there is no heating system, and the traces of moisture were visible on the walls. In the detention room there is no system for reference or communication with the acceptance officer or shift controller, nor have cameras for video surveillance.

The second room, in which there are 2 beds, is located next to the detention room, on the right side and ac-

The detention rooms are located in the basement section of the Police Station, and according to information received from the officials, only one of the premises is used for individual detention of persons.

At the same time, the NPM team is concerned that due to the fact that right next to the room used for detention, on the left side there is a room that has been turned into a warehouse for the storage of confiscated objects, where at the time of the visit there were various dangerous items: axes, hoes, etc. which could be used for the eventual intimidation of detainees.



ording to the information of the officials, it is not used for detention of persons because it does not fulfill the envisaged conditions.

However, in view of the fact that there were bed linens in the same bed, and the lessons about the rights of the detained persons are highlighted on the inner wall, and on the front door of the external side there was a list for recording the time of the inspection or control by the official persons, the National Preventive Mechanism team considers that this room, despite the information of the officials, can still be used for detaining persons.

Sanitary knot

Within the Police Station Makedonski Brod there are separate toilets for the detainees and for the employed officials. The toilet intended for use by the employed officials is located on the ground floor of the police station, while the toilet intended for use by the detained persons is located in the basement immediately next to the detention premises.

The toilet door for detainees is shortened in a way to provide control, and at the same time privacy of the detained person.

2.4.2. Exercise of the rights of the detainees

The National Preventive Mechanism concluded that posters in several languages with the rights of detainees, persons deprived of freedom and retainees, except in the shift manager's office, were also placed in the office of the Assistant Commander for PR and Prevention, where they also held talks with these people, as well as in several prominent places in the corridors of the station.

However, lessons about the rights of detainees, persons deprived of freedom and retainees were not observed in the inspectors' offices, where conversations with persons suspected of having committed a certain criminal offense.

The NPM established that citizens can file complaints against the actions of the police officers directly to the Sector for Internal Affairs, through the special box for that purpose set at the entrance of the Police Station.

The National Preventive Mechanism Team also was informed that the Police Station does not have a special food budget for the detainees, that is, the persons deprived of freedom and the detainees, although, according to the Standard Operating Procedures for the Treatment of Detained Persons, it is foreseen that every person retained for more than 6 hours is provided with a meal.



2.4.3. Records and registers of detained persons

In the Register of Daily Events, a chronological sequence of events is recognized, and a numerical connection of the events with the other registers is recognized. The book is kept neatly, all sections are filled and no correction fluid is used.

The recorded events in the Register of Detained Persons correspond to the events recorded in the Register of Daily Events. In this book mistakes were found in the section where the time should be given to inform the detainee with his rights.

In general, from the inspection in the mentioned registers, the team of the National Preventive Mechanism concluded that basically the records are kept in a clear, neat and orderly manner. In the records that have been running for the last two years, no correction fluid is used at all, and any mistake in the recording is reddened with red ink, which can clearly be recognized as an unintentional error.

The NPM team recommends that the employees be harmonized in the manner of keeping records in terms of recording the detainees and retainees in the Register of detained persons as well as in the Register of persons deprived of freedom and retained persons, because these are two consecutive events and they should be recorded in appropriate registers.

2.4.4. Recommendations and acting based on recommendations

The Ombudsman - the NPM prepared a Special Report with specific recommendations for the determined conditions of the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station Makedonski Brod.

Especially welcoming is the response received by the Ombudsman - National Preventive Mechanism from the commander of the Police Station Makedonski Brod, for which the serious approach is evident and serves as an example of a quality and comprehensive response to the given recommendations in the report of the National Preventive Mechanism.

In this regard, these are part of the submitted recommendations and the responses of the Ministry of Interior and the commander of the PS Makedonski Brod.



Review no.7

Review of given recommendations to the Ministry of Interior	
Recommendation	Response to a recommendation
A separate room for interrogation of persons deprived of freedom and detained persons shall be appropriately adapted within the Police Station.	In the budget funds planned for maintenance of buildings in 2017, there are no funds allocated for reconstruction and rehabilitation of the premises for arresting and detention of persons at the police stations.
Funds for the adjustment of a detention room that meets the minimum stipulated international standards for detention of persons shall be provided.	When preparing the budget for 2018, the Ministry of Interior will allocate funds for renovation of the premises for detaining and retaining persons in the PS Makedonski Brod.

Review no.8

Review of given recommendations to the PS Makedonski Brod	
Recommendation	Response to a recommendation
More expeditious and harmonized recording of data and events in the registries and individual files shall be carried out, in accordance with the Rulebook on the content and manner of keeping the records of the police and the form and content of the form of police records.	At the held meeting, all police officers performing tasks in the duty service were informed that they should have an extremely serious approach to the prompt running of the operational records, and the shift managers shall continuously inspect the records.
The warehouse for the storage of confiscated items should be moved to a more suitable room, which will not be adjacent or in the immediate vicinity of the Detention rooms.	All confiscated items that were stored in the room located next to the room for detention of persons were dispossessed, except for the objects that are official material and paper form and pose no danger to the detained persons.



2.5

POLICE STATION FOR BORDER SURVEILLANCE SOPOT



On **05.05.2017**, the National Preventive Mechanism conveyed a regular unannounced visit to the **Police Station for border surveillance Sopot**.

The police station for border surveillance Sopot is part of the Regional Center for Border Affairs - Sever and has the authority to conduct border surveillance, which, in accordance with the Law on Border Control is „*surveillance of the state border between the border crossings and surveillance at the border crossings beyond established working hours, in order to prevent circumvention or avoidance of border checks*“. The conduct of border surveillance also aims „*prevention of illegal crossing of the state border, prevention of cross-border crime and taking measures against persons who have illegally crossed the border.*“

The police station is located in three separate buildings of hard construction. The rooms are relatively well maintained, but it was evident that the inventory was old and worn.

Pursuant to the Decision on Determination of police stations for detention of persons, this Police Station has not been designated as a police station in which detention can be held, therefore it does not have special premises for detention of persons.

From the conversation with the Assistant Commander of the Police Station, information was received that regular and continuous trainings for the employees are conducted for a variety of thematic contents, many of which refer to the efficient handling and fight against smuggling of migrants and illegal migration.

In that regard, the NPM notes that the current number of engaged police personnel is insufficient to adequately tackle the problems and challenges that this crisis brings.

The official entrance of the Sopot border surveillance police station is in the central facility and it has no access ramp, which would allow unhindered access of persons with a certain physical disability.



The current developments with the migrant/refugee crisis require the need for continuous and intensified surveillance of the border line between border crossings, especially in the part of the border belt, that is, border surveillance under the jurisdiction of this Police Station (the settlement of Lojane and the surrounding area).

2.5.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

In the police station for border surveillance Sopot there is no adapted special room for interrogation and conversation with persons deprived of freedom, detained or summoned persons.

Conversations with these people are usually conducted in the official offices of police officers, as well as in the room intended for meetings and conducting divorce.

The National Preventive Mechanism expresses serious concern, due to the fact that funds for the rehabilitation of the complete video surveillance have not yet been provided, which is of exceptional importance for detecting illegal migration flows along the border.

The police station for border surveillance Sopot does not have a special room for conversations with minors, as provided for in the Law on Children's Justice.

The NPM team inspected the room in which the computer system (video surveillance) is located, which is not operational since the end of July 2017. At the same time, we were informed that the vehicle with thermal video surveillance at the border line has been defective for a longer period of time, and because of this, systematic information was prepared for the Ministry of Interior, but it was not yet acted upon.

Detention rooms

Pursuant to the Decision on Determination of police stations for detention of persons, this Police Station has not been designated as a police station in which detention can be performed, therefore it does not have special premises for detention of persons.

Although the NPM team is aware that there are no classical detention facilities in this police station, the Ombudsman - National Preventive Mechanism pays particular attention to monitoring whether these police stations do not really detain persons in inappropriate premises at these border stations.



Sanitary knot

This indisputably points to the need for separate toilets for persons deprived of freedom and the parties, which will be regulated in accordance with the security principles for the protection of this category of persons.

In PS Sopot there is only one toilet, used by officials and persons deprived of freedom/detained persons.

2.5.2. Exercise of the rights of the detainees

Given that the largest number of detainees and persons deprived of freedom are refugees/migrants from the refugee crisis circulating from Serbia to Macedonia and Macedonia to Serbia, the National Preventive Mechanism was informed that the communication with these persons is carried out with the assistance of an interpreter who, in case of need is hired from the Reception/Transit Center Tabanovce. They pointed out that until now they had no problem communicating with these people.

The National Preventive Mechanism concluded that a poster expressing the rights of detainees in three languages was placed in the corridor and in some of the official offices at the Police Station.

The detainees and persons deprived of freedom at the Police Station are informed about the right to call a counsel, to inform a third person about their detention or deprivation of freedom, as well as the right to seek medical assistance.

In cases when police officers from PS Sopot will detect irregular migrants, they first report to the Regional Operational Center - Sever and Red Cross Operations Center if there are people in need of medical help. If individuals have a desire to continue their journey to Greece, police officers, through further referral, help them return to Greece.

Otherwise, police officers inform the Joint Contact Center at TC Tabanovce and return persons to the Republic of Serbia. If persons are detected traveling with smugglers of migrants, then the Sector for Border Affairs and Migration is notified and migrants are directed and retained in the Acceptation Center for Foreigners in Skopje.

With regard to minors - foreigners unaccompanied, the National Preventive Mechanism concluded that the proceedings are in accordance with the standard operating procedures for dealing with unaccompanied children - foreigners, i.e. after their identification they are taken in ATC "Tabanovce" where they are appointed guardian.



2.5.3. Detected conditions in the part of the border line that is under the competence of performing border surveillance of this Police Station

The team of the National Preventive Mechanism conducted a round trip in the part of the border line that was under the authority to conduct border surveillance at the Police Station Sopot and had conversations with members of the international organizations and the non-governmental sector that are constantly present on this field with a part of the local population in the settlement of Lojane, as well as with some of the migrants who freely transited through the territory of the Republic of Macedonia, in the part of the border belt with R. Serbia.

Namely, the information provided by the Ombudsman - National Preventive Mechanism directly indicates that the closure of the borders led to a sharp increase in the activities of smuggling criminal groups and illegal migration across the territory of the Republic of Macedonia, together with all the security risks that it brings to life and the safety of migrants and refugees.

In this regard, a large number of complaints and information about incidents occurred in which migrants/refugees who have transited through the territory of the Republic of Macedonia have been subjected to various misconduct, blackmail and threats by various criminal gangs of crime and precisely in places that are located in the part of the border area, which is under the authority to perform border surveillance of this Police station.

These circumstances point to the co-ordination between the leaders of the criminal groups and the police, which is why it is necessary to pay more attention and to fully investigate the existence of any possible links of members of the Ministry of Interior with certain criminal - smuggling groups.

The National Preventive Mechanism was informed that there have been cases where migrants/refugees who were unable to pay the price for their transportation by smuggling groups were detained in private houses and facilities near the border and were forced to provide sexual services, to carry backpacks across the border line without knowing what they are really transmitting, or they themselves to be leaders of migrants/refugees and to transfer them across the whole territory of the state (from Gevgelija to Kumanovo).

Particularly worrying is the information that criminal groups have continuous information on the movement of the police, since in many cases refugees/migrants who were detained and held in various houses and facilities near the border prior to police checks were taken out to the surrounding forests, and immediately after the checks they were returned and detained.



2.5.4. Records and registers of detained persons

From the insight in the daily events record, the team of the National Preventive Mechanism concluded that it is kept neatly and chronologically, and numerical connection with the other registers is also recognizable.

The largest number of cases recorded in this record refers to the prevented attempts for illegally cross of the state border. Namely, only during the month of April 2017, over 90 such cases were recorded.

Records of attempts for illegal crossing of the state border, in addition to the daily events register, are also kept electronically in appropriate structured tables.

From the performed inspection in the Records on the use of means of coercion and the record of submitted complaints from citizens against police officers and measures taken, the National Preventive Mechanism concluded that no complaints have been filed against police officers from this Police Station until now, and means of coercion were used for the last time (tying agents) in 2015.

The Ombudsman - National Preventive Mechanism also conducted an extraordinary visit to the Police Station for border surveillance Sopot in order to obtain additional information regarding the deportation of refugees/migrants to the Acceptation Transit Center Tabanovce on 16.07.2017 and made an insight into the overall documentation.

The NPM team inspected the records of PS Sopot where these persons were transferred and then, from 8:30 am to 11:30 am, transported from PS Sopot to PTC Gevgelija. An inspection was carried out in the Book of Daily Events, the Book of Records on the Use of Means of Coercion, as well as in the Book of Records of Detained Persons.

Given the increased scope of attempts for illegal crossing of the state border, and thus cross-border crime, the question remains whether the means of coercion have not been used in the last two years, or the use of such means is not recorded.

From the insight into the records of PS Sopot, the NPM concluded that the deported 13 refugees were recorded only in the Book of Daily Events, but not in the books for recording the use of means of coercion and detained persons, despite the fact that the persons were detained at the police station, and during the action sticks and cuffs were used.

The NPM recommends consistent keeping of the books for the record, because the record should express the factual situation, and not give a "false picture" of the actions and events.



2.5.5. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a special report with specific recommendations for the determined conditions of the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station for border surveillance Sopot.

In this regard, these are the answers that the Ombudsman - National Preventive Mechanism received from the Ministry of Interior and the commander of the Police Station for border surveillance Sopot.

Review no.9

Review of given recommendations to the Ministry of Interanal	
Recommendation	Response to recommendation
In the Police Station for border surveillance Sopot, additional staff shall be employed, in accordance with the needs of the police station for smooth and efficient performance of border surveillance.	The necessary activities will be undertaken to eliminate the identified deficiency, i.e. fill in the jobs, in accordance with the existing systematization of the Ministry, and in order to implement the recommendation.
Separate toilets shall be adapted for detainees and persons deprived of freedom, regulated in accordance with the security principles for the protection of this category of persons.	The Ministry of Interior will take all necessary activities in order to eliminate the identified shortcoming in the recommendation.

Review no.10

Review of given recommendations to the PS for BS Sopot	
Recommendation	Response to recommendation
More attention shall be paid and the existence of any possible connections of the police officers of this Police station with certain criminal - smuggling groups shall be fully investigated.	So far, we have not had a case of involvement of individuals - police officers, in connection with illegal activities of persons involved in criminal offenses of smuggling.



Review of given recommendations to the PS for BS Sopot	
Recommendation	Response to recommendation
At the entrance of the PS Sopot an access ramp for persons with certain physical disability shall be built, thus allowing these people to have uninterrupted access to the Police Station.	There is no accessible pad for people with physical disabilities.
All cases of use of means of coercion shall be recorded and a timely assessment of their justification shall be given.	During the previous period, there were no cases of use of means of coercion. After your working visit, we had one case of use of means of coercion, and this is the case from 16.07.2017, when our police officer used means of coercion - cuffs, to two migrants who acted aggressively and improperly at the ATC Tabanovce.

2.6

POLICE STATION OF GENERAL COMPETENCE BITOLA



On **19.07.2017**, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station Bitola**.

The police station Bitola is a police station of general competence within the Sector



for Internal Affairs - Bitola, and the local competence for carrying out police affairs covers the area of the municipalities of Bitola, Novaci and Mogila.

The police station operates with police departments in Novaci and Velushina and with a patrol area in Mogila, in the area of approximately 422 km², with a population of about 75 000 inhabitants.

The police station Bitola is located in a solid building with basement rooms, ground floor and 2 floors. In this building are the offices of the Police Station for road safety and the Sector for Internal Affairs Bitola.

From the conversation with the commander of the Police Station, information was received that trainings for the employees are conducted for various thematic contents, but that more frequent training is needed in relation to the amendments to the legislation.

At the entrance of the Police Station Bitola there is an access ramp for persons with a certain physical disability, thus providing accessible access to the duty station and the official offices in the Police Station Bitola.

2.6.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

The police station does not have separate rooms for interrogation and interview, and the conversations and examinations of the summoned, detained, i.e. persons deprived of freedom and detained persons, besides in the director's office, are also performed in the offices of the Crime Police Inspectors.

The police station does not have a special room for possible detention of minors. However, from the made insight of the material conditions, there is a room on the ground floor of this building for minors where interviews and acceptance of minors are carried out.

The National Preventive Mechanism concluded that no audio / video monitoring system has been installed in any of the premises in which interviews are conducted with detainees, i.e. persons deprived of freedom and retained persons.

This will additionally contribute to the protection of police officers from false allegations of alleged acts of torture, i.e. coercion, harassment or other forms of intimidation and pressure on detainees or persons deprived of freedom.



Detention rooms

During the inspection of the detention rooms, the National Preventive Mechanism concluded that they were neat and clean with whitewashed walls, and in each of them there was a bed, equipped with mattress, bed linen, blanket and pillow, and a table with stools fixed to the floor is also donated.

From the measured survey of the detention rooms, the NPM team concluded that the three rooms meet the minimum stipulated international standards for detention of persons and have an area of more than 6m², thus satisfying the desired minimum standard of 4m² per person.

The police station Bitola has 3 collective rooms for detaining persons who are in the basement section and up to two persons can be simultaneously held in each of them.

In terms of daylight, there is sufficient daylight in the rooms, and there is also a functional additional (artificial) lighting that is used when needed in the evening. There is no special central heating and cooling system installed in the building, which raises the question of how these rooms are heated during the winter period when the outside temperatures are very low.

From the inspection of the detention rooms, the NPM team determined that they have a functional calling system, through which the detainees can alert the shift manager in cases when they have any need or request. However, there is lack of video surveillance, through which, as the deputy managers pointed out, they would have the opportunity for easier supervision of the detained persons.

Sanitary knot

Within the Police Station Bitola, the NPM team concluded that there are separate toilets for the detainees and for the employed officials in PS Bitola.

Within the facility and the premises for detaining persons deprived of their freedom, there is a separate toilet for the detained persons which is old and unrefurnished, and at the NPM team did not notice any products for hygiene maintenance.

2.6.2. Exercise of the rights of the detained persons

The National preventive mechanism establishes that posters in more languages indicating the rights of the detainees, people deprived of freedom and detained persons are placed on visible location and on more locations at the Police Station. Namely, these posters are placed on the entry of the Police Station, in front of the duty police office, as well as at the shift managers's offices.



Apart from posters presenting the rights of detainees and detained persons, the National Preventive Mechanism team noted that the Code of Police Ethics and the quotes on the rights of victims of crime were established on a prominent place in several premises,

Police officers noted that they are satisfied with the cooperation with the Center for Social Work having excellent communication, and the list of duty lawyers who are engaged as a defending counsels for the persons who will request to use their legal right was also presented to the National Preventive Mechanism.

The National Preventive Mechanism Team was informed that the Police Station does not have a special budget for food for detainees or persons deprived of freedom and detained persons, in accordance with the Standard Operating Procedures for the Treatment of Detained Persons in which it is foreseen that any person retained more than 6 hours shall be given a meal so that the persons deprived of their freedom and the detained persons are usually given this meal from their funds or from the funds of the police officers.

2.6.3. Records and registers of detained persons

The team of the National Preventive Mechanism concluded from the Register of Daily Events that the register is kept properly, that is, there is a chronology in reporting of the events, as well as the adequacy of the data with the other registers.

As a good practice, the NPM team also noted cases in which the mistake in recording is redrawn by a signature of the person who made it and, no correction fluid has been used in no case, in accordance with the recommendation of the National Preventive Mechanism upon the previous visit.

However, from the insight into the Register of Detained Persons and the Register of persons deprived of their freedom and arrested persons, NPM concluded that all graphs were not filled and there is lack of more accurate and harmonized recording of data and events in the registers and individual files.

In one of the several files in which the National Preventive Mechanism made insight, the person concerned was a detained person, non-native citizen, and in the file there was a statement/interview with the detained person through authorized translator and a signature from the engaged translator. The Ministry of Foreign Affairs was duly informed about this case and the whole procedure for treating foreign citizens was met in full.

NPM concluded that in the event a detained person expressed a need for a doctor, an ambulance was called for due to the apparent state of alcoholization, which was recorder in the Minutes for detention of persons. There is an official record for calling and providing medical assistance, which the NPM considers to be positive and to be used as a good practice.



2.6.4. Recommendations and acting based on given recommendations

The Ombudsman-NPM prepared Special Report referring to the actual and registered conditions from the visit, with precise recommendations that it submitted to the Ministry of Interior, as well as to the Commandant of the Police Station Bitola.

In relation to the above, the recommendations given below are presented as a part of the submitted recommendations and answers to the Ministry of Interiors, from the Commandant of the PS Bitola.

Review no. 11

Review of given recommendations to the Ministry of Interior	
Recommendations	Response to the recommendation
Adaptation and appropriate preparation of special premise for interrogation of persons deprived of freedom and detainees within the Police Station.	The budget funds planned for maintenance of facilities in 2017 do not anticipate financial funds for reconstruction and repair of the premises for detaining and keeping in custody people at the police stations.
To equip the premises appropriately in order to be adequate for interrogation of the persons deprived of freedom, with audio and video surveillance.	The Plan for Public Supplies for 2018 made by MOI anticipates supplies intended for this purpose (adaptation and adjusting the premises for interrogation of persons deprived of freedom and for their detention at the police stations).
Adjusting of special premises for detention of minors, pursuant to the Children's Justice Act.	The National preventive mechanism team did not receive any reply by the Ministry of Interiors.



Review no.12

Review of given recommendations to the Police Station Bitola	
Recommendations	Response to the recommendation
Until the complete restoration of the toilet intended for the detained persons, it should be regularly cleaned and maintained with hygienic products.	Actions are taken for regular maintenance of the toilet in the premises for detained persons.
Keeping more efficient and coordinated updating of data and events in the registers and individual files.	Actions are taken for recovery of the actual condition and for carrying out regular control and survey over the records keeping, due to achieving updated and harmonized recording of data and events.

2.7

POLICE STATION OF GENERAL COMPETENCE VALANDOVO



On July 26.2017, the National preventive mechanism conveyed regular but sudden and unpredicted visit to the **Police Station Valandovo**.

The Police Station Valandovo is a police station of general jurisdiction within the Sector for Internal Affairs - Strumica (SVR-Strumica). The local competence for carrying out



police affairs covers the area of the municipality of Valandovo on a surface of 332 km².

The police station Valandovo is located in an old hard construction building and is located in the center of the city of Valandovo and according to the information received from the deputy commander, it was renovated in 2001.

The conversation with the deputy-commander of the Police Station resulted with obtaining information that regular and continuous trainings are conveyed in SVR Strumica, also attended by the employees from the Police Station Valandovo, on various issues.

At the entry of the Police Station Valandovo there is no access ramp for the persons with physical disability, encumbering and practically disabling the access to the internal official premises in the police station.

2.7.1. Material conditions

Premises for interrogation and conversation with deprived of freedom and minors

The National preventive mechanism concluded that the Police Station Valandovo does not dispose of special premises intended for interview and interrogation of persons deprived of freedom and detainees.

In Police Station Valandovo there are no premises for conversation with minors, interrogation premises, nor any premise for identification, so the interview with the called or freedom deprived persons so carried out in the office or at the premises of the shift manager.

From the conversation with the shift manager, the NPM team was informed that up to this visit there was no case of detention of minors in the detention facilities, but in exceptional situations where there is a need for short-term conversation, the juveniles are placed in one of the offices, with constant attendance of an official person and the conversation is performed exclusively in the presence of a parent and a social worker.

Detention rooms

The detention facilities are in a disastrous state and do not meet the minimum stipulated international standards for detention of persons. Apart from failing to meet the spatially established standards, they are illuminated with poor daily and artificial lighting, with a high percentage of moisture and a dysfunctional heating system.



The present situation in both premises for detaining persons seriously contributes to increasing the risk of torture and other substandard and inhumane treatment of detainees and is a direct indulgence of human dignity.

The National Preventive Mechanism recommends that the detention facilities in PS Valandovo should not be used and should be sealed immediately until their renovation and adjustment according to the prescribed standards, and in this period the detainees are to be brought to the nearest police station that meets the conditions for detention.

PS Valandovo has two rooms for detaining persons and they are located in the basement section of the police station. One room is for individual detention, while in the second room there are two beds with a capacity of placing two people simultaneously.

What is particularly worrying is the negative practice of detaining persons in PS Valandovo, which were transferred from PS Gevgelija due to a lack of shift managers, although the detention facilities in PS Gevgelija meet the stipulated international standards for detention of persons.

Sanitary knot

Within the Police Station Valandovo there is a common toilet used by the officers, other parties, as well as by persons deprived of freedom and detained persons. This indisputably points out the need for separate toilets for persons deprived of freedom and detainees, which will be regulated in accordance with the security principles for protection of this category of persons.

2.7.2. Exercise of the rights of the detainees

The National Preventive Mechanism concluded that posters in several languages presenting the rights of the detainees and persons deprived of their freedom, except being placed in the shift manager's office, were also placed in the office of the Assistant Commander for Public Order, Peace and Prevention, where interviews are also conducted with these people, as well as in several prominent places in the corridors of the station.

In this regard, the police officers stressed that they are satisfied with the cooperation with the Center for Social Work with which they have excellent communication, and the list of duty lawyers who will be engaged as a defending counsels for the persons who will ask to use their legal right was also presented to the National Preventive Mechanism.

The National Preventive Mechanism Team also was informed that the Police Station has a special food budget (MKD 500,00) for detainees, ie persons deprived of freedom and persons in custody, in accordance with the Standard Operating Procedures for Treatment of Detained Persons wherein it is foreseen that every person who is detained more than six hours is entitled to be given a meal.



2.7.3. Records and registers of the detained persons

From the Inspection in the Register of Daily Events it can be concluded that the records are kept chronologically, clearly and tidily, all the sections in the book are filled in and no correction fluid is used. During the current year, 1650 events were registered up to the day of the visit.

Upon checking the numerical connection of the recorded events in this book with other registers, compliance and chronological sequence of events are recognized. This approach to recording the daily events leads to the conclusion that the record of daily events is kept in a regular and timely manner.

In general sense, the National preventive mechanism team concludes from the made insight of the stated register that the records are kept in comprehensive, clear and proper manner, and it can be noticed that the registered events are recorded chronologically. No correction fluid is used in the record books kept for the period if the past three years.

Also, from the made insight into several randomly selected individual files of persons, on any basis, recorded at the Police Station, the NPM team concluded that the documentation is kept in a proper and careful manner and the documents are prepared timely while the person is kept at the Station for reasonable reasons.

2.7.4. Recommendations and acting based on given recommendations

The Ombudsman – NPM elaborated Special Report on the factual conditions established upon the visit, with specific recommendations that it submits to the Ministry of Interior, as well as to the Commander of the Police Station Valandovo.

Regarding the above, these are part of the submitted recommendations and reactions to the Ministry of Interior the Commander of the Police Station Valandovo.

Review no.13

Review of given recommendations to the Ministry of Interior	
Recommendations	Response to the recommendation
Adaptation and appropriate adjustment of special premise for interrogation of persons deprived of freedom and detainees within the Police Station.	In its budget funds for maintenance of facilities, the Ministry of Interior does not anticipate financial funds for reconstruction and repair of the premises at the police stations.



Review of given recommendations to the Ministry of Interior	
Recommendations	Response to the recommendation
Appropriately equipping the premises intended for interrogation of persons deprived of freedom, with audio and video survey.	The Ministry of Interiors, in its budget for maintenance of facilities, does not anticipate financial funds for repair and reconstruction of the premises at the police station.
Adaptation of special premise for interrogation and interview with minors, according to the Children's Justice Act.	The Preventive Mechanism Team did not receive any reply to this specific recommendation from the Ministry of Interior.
To stop the practice for transferring people for detention in PS Gevgelija from PS Valandovo, taking into account the fact that PS Gevgelija has premises that comply with the minimum stipulated international standards for detention of persons, and in PS Valandovo.	In PS ON Valandovo no detention of persons is done, on any ground.

Review no.14

Review of given recommendations to the PS Valandovo	
Recommendations	Response to the recommendation
Construction and adaptation of access ramp on the entry to the Police Station Valandovo intended for persons with physical disabilities, in order to enable easy access to the internal premises at the Police Stations.	The National preventive mechanism team did not receive any reply on this from the Ministry of Interior.
The existing premises no to be used for detention, until its renovation or adaptation, in order to meet the minimal international standards for detention of persons.	In PS ON Valandovo detention of person is not done on any ground. The detention of persons is done in SVR Strumica. A request was submitted to SVR (Sector of Internal Affairs) Strumica for urgent undertaking the necessary activities for adaptation of the premises for detention of persons.



2.8

POLICE STATION OF GENERAL COMPETENCE SVETI NIKOLE



On July 27.2017, the National preventive mechanism conveyed regular but unannounced visit to the **Police Station Sveti Nikole**.

The Police Station Sveti Nikole is a police station of general jurisdiction within the Sector for Internal Affairs - Stip (SVR). The local competence for carrying out police affairs covers the area of the municipality of Sveti Nikole and Lozovo.

The police station Sveti Nikole is located in an old hard construction building, with basement, ground floor and one floor. The regional unit of the Ministry of Interior is placed in the same building.

The conversation with the Assistant Commander of the Police Station resulted with obtaining information that regular and continuous trainings are conveyed for the employees, covering various matters.

At the official entrance of PS Sveti Nikole there is no access ramp for persons with physical disabilities, but such ramp is set at the entrance leading to the administrative service, from where it has access to the remaining internal offices in the police station.



2.7.1. Material conditions

Premises for interrogation and conversation with deprived of freedom and minors

The police station does not have separate premises for interrogation, and the interviews and examinations of the summoned, detained and persons deprived of their freedom and persons in custody, in addition to the shift manager's office, are also conducted in the offices of the crime police inspectors.

The police station does not even have a separate room for interviewing minors, as provided for in the Children's Justice Act, and in this sense, as a well-established practice, it can be noted that calling, ie detaining minors is avoided at the Police Station and most often conversations with children are carried out at the local Social Work Center.

At the police station Sveti Nikole there is no special inspector for juvenile delinquency, and the conversations with juveniles are conducted by the assistant commander, the shift manager, as well as general criminal inspectors who have previously undergone training for dealing with juveniles.

Detention rooms

PS Sveti Nikole has three rooms for detaining persons and they are located in the basement section of the police station.

All rooms are intended for individual detentions (with one bed in a room) and they do not have video surveillance installed, and the communication of the detained persons with the police officer (shift manager) in charge is done through a functional calling system.

Regarding the warming of the premises, the NPM concluded that there are no heating bodies, seriously imposing the issue of the warming during the winter period, and a huge amount of moisture on the walls was observed (above 60% of the R.H. value measured).

As an additional protection and security measure, in PS Sveti Nikole, immediate surveillance of the detained persons is carried out, which is recorded and registered in a special control list, in order to act in a timely and preventive manner when there is a need for urgent action.

The rooms do not meet the standards regarding daylight and extra light, because they

From the conducted survey in the premises, the team of the NPM concluded that the detention facilities do not meet the minimum required international standards for detention of persons. Two of the rooms are with a surface of 4m², and the third room is slightly larger and has a surface of 4.83m².



have an extremely low daylight, due to the metal windows with small dimension openings, and also due to the fact that there is no artificial (additional) lighting, but it comes from the hall through the opening above the door.

Sanitary knots

In the structure of the facility and premises for detaining persons deprived of their freedom, there is a separate toilet for the detained persons who are old and unrestored, and the NPM team did not notice any funds for maintaining the hygiene in it.

Nevertheless, fact that is worrying and that should be considered is that the toilet is open (not protected door or curtain, so the detainees are exposed to direct view by the uniformed police officers, therewith violating the right to privacy and intimacy of the detained persons.

2.8.2. Exercise of the rights of the detainees

The National Preventive Mechanism team concluded that posters in several languages presenting the rights of detainees, persons deprived of their freedom and detainees, besides that they were noticed in the shift manager's office, were also placed in the office of the Assistant Commander for Public Order and Peace and Prevention, also intended for conducting discussions with these people, as well as in several prominent places in the halls of the station.

Apart from posters indicating the rights of detainees, persons deprived of their freedom and detained persons, the National Preventive Mechanism team noticed that a Code of Police Ethics, quotes on the rights of victims of crime as well as a poster providing information about asylum seekers in English were placed in several premises on the entry to the station.

From the conversation with the deputy director of the Police Station, the National Preventive Mechanism was informed that people are always informed about the reasons for their deprivation of freedom and their rights, in the language they understand.

Namely, the person under detention, persons deprived of freedom and the persons in custody at the police station are informed about the right to call a counsel, to notify a third person about their detention, ie deprivation of freedom, as well as the right to seek medical assistance, by filling n appropriate forms.

The National preventive team concludes that there is no installed audio/video surveillance monitoring the premises where the interrogation is performed of the detained persons, person deprived of freedom and under custody.



Police officers noted that they are satisfied with the cooperation with the Center for Social Work with which they have excellent communication, and the list of duty lawyers who might be engaged as defending counsels in case some persons demands to use his legal right was also presented to the National Preventive Mechanism.

In view of this, and in order to prevent torture or other inappropriate behavior with the detainees or persons deprived of freedom during the interrogation, the National preventive mechanism recommends equipping the premises intended for interrogation of these persons with audio/video surveillance.

NPM team was also informed that the Police Station have established special budget for food (1000 MKD) for the detainees and people on custody, according to the standard operative procedures for treating detained persons wherein it is laid down that meal should be given to every person who is held in custody more than 6 hours.

2.8.3. Records and registers of detained persons

From the insight made by NPM to this Register Book of Events, NPM found failures in reporting the hour when the persons are deprived of freedom, which leads to the possible intention for concealing the exact time when the person is deprived.

From the insight into the Register of Daily Events, the National Preventive Mechanism team concluded that it is kept properly, that is, there is a chronology in the reporting of events, also referring to the adequacy of the data with the other registers.

From the insight in the Register it can be concluded that it is conducted regularly, comprehensively and clearly. The recapitulation is conducted neatly and clearly for every three months. The registry is subject to regular control by the officials who check the data and confirm their accuracy and timeliness with their personal signature.

In relation to this, the National preventive mechanism recommends taking better care and attention upon entering the data in the appropriate columns, in each register book.

2.7.4. Recommendations and acting based on given recommendation

The Ombudsman - NPM prepared a special report with specific recommendations on the noticed conditions during the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station Sveti Nikole.

In this regard, the recommendations below are part of the submitted recommendations and the reactions of the Ministry of Interior and the Commander of the PS Sveti Nikole.



Review no.15

Review of given recommendations to the Ministry of Interiors	
Recommendation	Response to the recommendation
Adaptation and appropriate preparation of special premise for interrogation of persons deprived of freedom and detainees within the Police Station.	In its budget funds for maintenance of facilities for 2017, the Ministry of Interior does not anticipate financial funds for reconstruction and repair of the premises at the police station.
To obtain assets for adaptation and restoration of the detention premises that will meet the stipulated international standards for detention of persons.	Upon preparation of the budget for 2018, MOI shall reserve funds for repair of the premises for detention and holding in custody persons in the Police Station ON Sveti Nikole.

Review no.16

Review of given recommendations to the PS Sv. Nikole	
Recommendation	Response to the recommendation
The toilet which is located immediately next to the premises for detention shall be isolated physically from the other part of the premises (by installing separate door or plasticated cover).	A proceeding has been instigated for public supply and installing of PVC door for the toilet by the Department of Common matters at the Sector of Interiors Stip.
The suspicious objects (diggers or shovels) located on the premise for confiscated object, next to the premises for detention of persons To be protected and properly to be recorded and numerated.	Objects that may be misused by/ to persons being detained at the police station shall be removed from the area and the corridors leading to the premises for detention of persons.
Keeping more efficient and coordinated records of the events n the registers and individual files, pursuant to the Rulebook on the manner of records keeping of the Police and regarding the proper form and content of he police records.	The records referring to the called, detained and persons deprived of freedom are kept properly and control is done over the same on a daily basis by authorized police officers.



2.9

POLICE STATION OF THE GENERAL COMPETENCE VELES



On September 14, 2017, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station Veles**.

The Police Station Veles is a police station of general jurisdiction within the Sector for Internal Affairs - Veles, with a Police Department in the municipality of Caska and Police Offices in the municipalities of Bogomila and Gradsko. The local competence for carrying out police affairs covers the territory of the municipalities of Veles, Gradsko, Bogomila and Caska.

There is no access for the people with special needs at the entrance of the PS Veles, neither on any other special entrance to the internal offices where there is an access ramp.

The police station Veles is located in a building with a solid building with basement rooms, ground floor and 2 floors. In this building there are also the offices of the Police Station for Road Traffic Safety and of the Internal Affairs Department of Veles.

From the conversation with the commander of the Police Station, the NPM team got information that regular and continuous trainings for the employees are conducted for a variety of thematic issues.



2.9.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

The National Preventive Mechanism concluded that the Police Station Veles does not have a separate room for interviewing and interrogating persons deprived of their freedom, detained persons and persons under custody.

Having in mind that the Police Station does not have special rooms for detaining juveniles, the persons are not at all kept at the station, and during the interviews they always provide attendance of a parent/guardian, as well as a counsel, in cases where necessary, and the Center for Social Work is also notified.

The police station has an identification room located on the first floor and the detention rooms are located in the basement premises, which means that the persons suspected of a certain offense and kept in the Police station are unreasonably exposed to the views of third parties (parties and officials) while leading them the identification room.

From reviewing the interview with the juvenile delinquency inspector, the team of the NPM concluded that when conducting interviews with juvenile victims of crime, as well as with those suspected of committing a criminal offense, special attention is paid to the procedures to be in accordance with the legal procedures.

Detention rooms

From the performed survey in the detention facilities, the team of the NPM determined that the two rooms for individual detention of persons are in the surface of 5.3 m², while the premises with 2 beds have a surface of 5.6 m², which points to the fact that the premises do not meet the anticipated desired standards stipulating that the police rooms used for one person for a longer stay (more hours) should be 7m² in size, 2 meters from the walls and 2,5 meters of distance between the floor and the ceiling.

In relation to the above, NPM team recommends that the premises intended for accommodation of two persons should be relocated in individual accommodation facilities due to the non-fulfillment of the minimum stipulated international standards for detention of persons in the police station.

Veles Police Station has 4 detention facilities located in the basement, in an extremely dysfunctional and difficult access area. From the detention rooms, two rooms are single for individual accommodation, while the other two rooms are with two beds where two persons can be simultaneously accommodated.



Sanitary knot

Veles Police Station has two separate toilets, one for the officials, while the other is reserved exclusively for the detainees.

In the immediate vicinity of the detention facilities, there is a sanitary block intended exclusively for the detainees, but it is in a catastrophic condition, for which the commander and police officers have informed the NPM team that they are not used for a longer period of time.

It was pointed out that in cases where people need to use a toilet, they are accompanied by a shift manager or other police officer in some of the toilets located on the ground floor of the Police Station.

2.9.2. Exercise of the rights of the detainees

Posters in several languages with the rights of detainees, persons deprived of their freedom and detained persons are placed in a prominent place at the entrance to the Police Station, as well as the Code of Police Ethics.

The National Preventive Mechanism concluded that no audio/video monitoring system has been installed in any of the premises where interviews or examinations of detainees, that is, persons deprived of their freedom and detained persons are being conducted or examined.

In order to prevent the torture or other inappropriate treatment of detainees or persons deprived of their freedom during the examination, the NPM recommends that the premises in which these persons are examined be equipped with audio or video surveillance equipment.

This will additionally contribute to the protection of police officers from false allegations of alleged acts of torture, that is coercion, harassment or other forms of intimidation and pressure on detainees or persons deprived of their freedom.

NPM has established that citizens can file complaints and petitions against the actions of the police officers directly to the Sector for Internal Affairs, through the special box for that purpose set at the entrance of the Police Station.

The National Preventive Mechanism Team also was informed that the Police Station does not have a special food budget for the detainees, that is, the persons deprived of their freedom and the detained persons, although, according to the Standard Operating Procedures for the Treatment of Detained Persons, it is foreseen that every person retained more than 6 hours should be given a meal.



2.9.3. Records and registers of detained persons

From the insight into the Register of Daily Events, the National Preventive Mechanism team concluded that it is kept properly, that is, there is a chronology in reporting of events, as well as adequacy of the data with the other registers.

The NPM team noted that in several cases, a correction fluid was used in this register, instead of drawing the errors. It was also noted that in some cases all the graphs, that is fields, were not filled in the register, so in one of the cases of detention, the time of release, ie the transfer of the person elsewhere (for example prison, court or etc.).

The National Preventive Mechanism concluded that when entering the time of deprivation of freedom or the taking and entering the detention time, it is not necessary to accurately describe the chronological course of the events, which is why in most cases the time of deprivation or detention and the time the detention is identical, which is contrary to the recommendations contained in the Standard Operating Procedures for the treatment of persons whose rights to freedom of movement are limited.

2.9.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a special report with specific recommendations on the established conditions from the visit, which is submitted to the Ministry of Interior, as well as to the commander of the Police Station Veles.

In this sense, the recommendations given below are part of the submitted recommendations and the answers of the Ministry of Interior and the commander of the PS Veles.



Review no.17

Review of given recommendations to the Ministry of Interiors	
Recommendations	Response to recommendation
Adaptation and appropriate adjustment of special premise for interrogation of persons deprived of freedom at the Police Station.	There are no funds anticipated in the budget funds for 2017 planned for maintenance of objects, for reconstruction and repair of the premises for detention and keeping in custody persons the police stations.
Obtaining funds for adaptation and refurbish of the detention, so as to provide the minimum stipulated international standards for detention of persons.	Upon creating the budget for 2018 it shall reserve assets intended for repair of the premises for detention at the Police Station in ON Veles.
Adaptation of special premises for interrogation and conversation with minors, pursuant to the Children's Rights Act.	No answer was received to the given recommendation by the Ministry of Interiors.

Review no.18

Review of given recommendations to the PS Veles	
Recommendations	Response to recommendation
Setting an access ramp for persons with physical disability on the entrance to the PS Veles that will enable easy access to the persons with certain physical disability to the official premises;	For providing free access for the persons to the offices. More financial funds are necessary for carrying out make over or construction of access ramp for entering of the object appropriately towards the facility.
The line-up room should be relocated to a location that is closer to the detention facilities, so that the detainees are not unjustifiably exposed to be seen by third parties (clients and officials).	The room may be dislocated and raised at the far right of the divorce room, located on the first floor - ground floor and next to the stairs leading to the detention rooms, which does not require significant financial resources.



2.10

POLICE STATION OF GENERAL JURISDICTION VINICA



On 22.09.2017, the National Preventive Mechanism conducted regular unannounced visit to **Vinica Police Station**.

Vinica Police Station is a police station of general jurisdiction within the Sector for Internal Affairs - Stip, and the local competence for carrying out police affairs covers the area of the municipality of Vinica.

The main entrance has provided access ramp for persons with a certain physical disability, which enables uninterrupted access to the official premises of the PS Vinic.

Vinica Police Station is located in a building of solid construction with rooms on the ground floor and on the first floor. Within this building offices are placed of the officials from the Department for Road Traffic Safety and Prevention as well as the offices of the Crime Police Inspectors.

From the conversation with the assistant Commander of the Police Station, information was received that trainings for the employees are conducted for various thematic contents, but that more frequent training is needed in relation to the amendments to the legislation.

2.10.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

Due to the lack of special premises for interrogation and conversation of persons deprived of freedom and detained persons, the conversation with them are usually held at the shift managers' and inspectors offices.



The National Preventive Mechanism establishes that the Police station Vinica does not have special premises for interview and interrogation of persons deprived of freedom, persons under custody and detained persons.

The National Preventive Mechanism establishes that there is no installed audio/video monitoring in any of the premises where interviews are held with the detained persons or persons deprived of freedom.

The National Preventive Mechanism establishes that the Police Station does not have facility intended for conversation with juveniles, nor special premises for detaining juveniles.

The NPM team found that temporarily confiscated items are kept on some premises of the officials.

There is no special inspector for juvenile delinquency in Vinica Police Station, and the interviews with the juveniles are conducted by the Public Order and Peace Inspector and Prevention Unit, which has attended previous trainings for dealing with juveniles.

Detention rooms

From the inspection in the detention facilities, the thereby the team of the NPM concluded that they are with surface of 4.3m² and 6.5m² and they satisfy the minimum international standards for detention of persons. The rooms are clean, neat and there is no moisture present (34% of R.H. are measured). The temperature in the rooms was 21°C, but there was no heating body in them, which could be a problem during the winter period when the temperatures are extremely low.

Regarding daily and (additional) artificial illumination, the National Preventive Mechanism determined that the premises are well lit, with sufficient daylight flow and functional silicates as artificial (additional) lighting.

The floor in the premises is tiled, and it was evident that the sheets and the bedding (blanket, pillow and mattress) were clean and neat, and the manager informed that special attention was paid on this.

In the detention facilities, no calling system (alarm) was installed, which would be used by the detained persons to alert in situations when they need to intervene or communicate with the shift manager, and there is no functional video surveillance, both in the corridor in front of the premises and in the detention facilities themselves, through which the shift manager and other police officers would conduct the supervision and control over the detainees.

PS Vinica has two premises for individual detention of persons who are located at the very beginning of the Police Station in the continuation of the waiting room, and access to them is enabled through several steps.

The National Preventive Mechanism states that in the detention facilities there are no lessons about the rights of the detainees presented anywhere.



Sanitary knot

Within the Vinica Police Station there are separate toilets for detained persons and for employed officials. The toilet intended for use by the employed officials is located on the ground floor of the police station, while the toilet intended for use by the detained persons is located directly next to the detention facilities, it is functional, arranged and in a quite good condition.

2.10.2. Exercise of the rights of the detainees

The National Preventive Mechanism concluded that posters in several languages presenting the rights of detainees, persons deprived of their freedom and of detainees were placed in a prominent place in several locations at the Police Station. Namely, such posters are placed at the entrance of the police station, in front of the duty office, in the shift manager's office, in the corridor of the detention facilities, as well as in the corridor on the first floor where the offices of the crime police inspectors are located.

The NPM team was also informed that the Police Station has anticipated a special food budget (1000.00 MKD) for persons deprived of freedom and detained persons, in accordance with the Standard Operating Procedures for the Treatment of Detained Persons, which stipulate that each person who is retained for more than 6 hours should be given a meal.

The surveillance of detained persons is carried out directly by the shift manager and police officers from the duty service, through occasional immediate insight of the detention facilities. NPM inspected several control lists and found that the immediate control established as a practice in this Police station is usually conducted in a time interval of every 35 minutes to 1 hour, which in the absence of video surveillance in the detention facilities contributes to the prevention from the self-harm or timely response to police officers.

The National preventive mechanism also established that the citizens may submit complaints and claims against the police officers' actions to the Sector of internal affairs, through the special box intended for this purpose, installed on the entry of the Police Station.

2.10.3. Records and registers of detained persons

From the performed inspection in these registries, as well as in the individual files for the inspected persons or persons deprived of their freedom and retained persons, the team of the National Preventive Mechanism established that they are kept chronologically, with a logical sequence of events, interconnection and adequacy of the data contained in the registers and individual files. It is evident from the registers and files that detainees,



persons deprived of their freedom and detained persons are timely educated about their rights and that they are given the right to notify a third person about their detention, to call a defending counsel, or to seek for medical help.

The National Preventive Mechanism has determined that the files of the detainees contain control lists for visits by police officers at regular intervals, which are carried out to prevent self-injury and to determine the condition of the detained person.

From the insight into the mentioned registers, the team of the National Preventive Mechanism concluded that they are kept chronologically, clearly and properly. Namely, the data are recorded in detail in the registers on the manner prescribed in the Rulebook on the content and manner of keeping police records.

2.10.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a special report with specific recommendations for the determined conditions of the visit, which is submitted to the Ministry of Interiors, as well as to the commander of the Vinica Police Station.

In this sense, the recommendations below are part of the submitted recommendations and the answers of the Ministry of Interior and the commander of the PS Vinica.

Review no. 19

Review of given recommendations to the Ministry of Interior	
Recommendations	Reactions to the recommendation
Adaptation and appropriate adjustment of separate premise intended for interrogation of persons deprived of freedom and detained persons at the Police Stations.	The Ministry of Interior does not anticipated financial assets within its budget for maintenance of objects that would be intended for repair and reconstruction of the detention premises in the police station.
Appropriate equipping the premises where interrogation of person deprived of freedom is performed with audio or video surveillance.	The Plan for public supplies for 2018 made by MOI, supplies is anticipated for this purpose (adaptation and adjustment of the premises for interrogation of people deprived of freedom and detention in police stations).



Review no.20

Review of given recommendations to the PS Vinica	
Recommendations	Reaction to the recommendation
Notes referring to the rights of the detained persons should be placed on inner side of the doors in the detention rooms;	The problem is solved by a copy of the posters placed on the inner side of the doors.
Temporarily confiscated items that are suspected to originate from act of crime or violation not to be kept in the offices of the inspectors and to be kept in the premises intended for temporarily confiscated items, also registered in the appropriate form.	The items are removed from the office of the inspectors for general crime and are handed over for keeping and for further proceeding in appropriate premise in PS Vinica.

2.11

POLICE STATION OF THE GENERAL COMPETENCY KICEVO



On September 29, 2017, the National Preventive Mechanism conducted a regular unannounced visit to the Police Station Kicevo.

The police station Kicevo is organized within the Sector for Internal Affairs (SIA) Ohrid, which means that it is responsible for its work before the Chief of SIA Ohrid, and according to appropriate lines and in front of the competent departments of the Ministry



At the entrance of Kicevo Police Station, no access ramp for people with a certain physical disability has been built, which makes it difficult for these people to access the interior of the PS Kicevo, the duty room and the official offices.

of Interior. The local jurisdiction for performing police affairs covers the area of the municipality of Kicevo, covering the town of Kicevo, and the settlements: Zajas, Oslomej, Izvor and 33 village settlements.

Within the police station of general jurisdiction Kicevo, there are two police departments in Zajas and Oslomej, as well as a police office in the village of Izvor.

The police station Kicevo is located in an old building of hard construction and is located in the center of the city of Kichevo. The deputy commander informed the NPM team that it was assumed that it was built in the period from 1933 to 1936. This building comprises of offices of officials from the Department for Road Traffic Safety and Prevention as well as the offices of the Crime Police Inspectors.

Regarding the trainings, NPM team was informed that during the past year, no serious trainings for the police officers in PS Kicevo have been organized and the last training that was conducted just days before the visit to the National Preventive Mechanism referred to acting of the police officers in securing the election process.

2.11.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

From the conversation with the shift manager, NPM team was informed that up to the moment of the visit there was no case of detention of minors in the detention facilities, but in exceptional situations where there is a need for short-term conversation, the juveniles are placed in one of the official premises with permanent presence of an official person and the interviews made with them is discussed exclusively in the presence of a parent and a social worker.

In PS Kicevo, a special room has been arranged which is intended for conducting interviews with persons who are called, deprived of freedom or detained persons, which are also used by police officers from the intervention group as well as the administrative office and offices of crime technics.

The police station has not adapted a special room for conversation with minors according to the Children's Justice Law.



Detention rooms

From the performed survey of the detention facilities, the NPM team concluded that the first room is with a surface of 7,1m², and the second room is with a surface of 6,9m² and although both spatially meet the minimum stipulated international standards that refer to the surface of the premises, they are still in extremely poor conditions.

There is no artificial illumination in the detention room and the tiny hood with small holes placed on the window in the detention room not only does not allow sufficient daylight flow but also greatly prevents the ventilation or entry of fresh air in the room.

There is no artificial lighting, starting from the corridor leading to the basement rooms, through the steps leading down to the premises, anywhere in the corridor in front of the entrance doors, in the rooms and in the detention facilities.

In the detention facilities itself, as well as in the entire police station, no video surveillance is carried out, and the only thing that is functioning is the system for calling and communication between the detained person and the deputy director of the Police Station.

The Police officers and the shift manager pointed out that they are aware of the poor material conditions where both rooms are located and further indicated that during the winter period when the outside temperatures are very low, they tend to minimize the detentions in this police station.

PS Kichevo has two rooms for detaining persons and they are located in the basement of the police station. Both rooms are individually reserved and each has one bed.

According to the assessment of NPM, the situation in the two detention facilities seriously contributes to increasing the risk of torture and other inhuman treatment of detainees and constitutes direct dishonoring of human dignity.

From the performed inspection in the records of persons deprived of freedom and detained persons, NPM team concluded that persons are also detained in these two rooms during the winter period.

Sanitary knot

The police station has a common toilet used by the officials, the parties, as well as the persons deprived of their freedom and the detainees. This indisputably points to the need for separate toilets for persons deprived of their freedom and detainees, which will be regulated in accordance with the security principles for the protection of this category of persons.

The National Preventive Mechanism also inspected the toilet, which has not been in operation for a long period of time, and was designed and adapted for the detainees at the police station, but is in a highly ruined state with an overhanging ceiling construction and a huge amount of moisture and mold. This is the reason why it is out of use for a longer period and in view of this, the National Preventive mechanism recommends its urgent



reconstruction and repair.

2.11.2. Exercise of the rights of the detainees

The National Preventive Mechanism notes that posters, translated into several languages, with the rights of detainees, persons deprived of their freedom and detained persons, are also placed at the entrance to the police station, to the registration room, to the premises for conversation, and besides in the office of are also placed in more visible places in the corridors of the station.

Apart from posters with the rights of detainees, persons deprived of their freedom and person in custody, the National Preventive Mechanism team noted that the Code of Police Ethics as well as quotes on the rights of victims of crime were placed in a visible place in several premises.

Police officers noted that they are satisfied with the cooperation with the Center for Social Work, with which they have excellent communication, and the list of duty lawyers engaged as defending counsels in the event some person demands the use his legal right was also presented to the National Preventive Mechanism. Additionally, we were told by the commander of the police station that they have very good cooperation with the crime police.

The police station does not have a special food budget for the detainees, that is, the persons deprived of their freedom and the detained persons, in accordance with the Standard Operating Procedures for the treatment of detained persons, which foresees that a person is entitled to a meal for more than 6 hours.

PS Kicevo is under the jurisdiction of SIA Ohrid and they have not anticipated a separate budget for this item. Regarding this, the manager reminds us that the officers themselves make efforts to deliver food to the detainees.

2.11.3. Records and registers of detained persons

From the insight in the Register of daily events it can be concluded that the records are kept chronologically, clearly and explicitly, all the sections in the book are filled in and no correction fluid is used.

Upon the check of the numerical connection of the recorded events in this book with other registers, compliance and chronological sequence of events are recognized. This approach to recording the daily events leads to the conclusion that the record of daily events is kept in a regular and timely manner.

In general, from the insight in the mentioned registers, the team of the National Preventive Mechanism concluded that basically the records are kept clean, clear and tidy. In



the books of records that have been conducted for the last three years, no correction fluid is used at all and a chronological track of the recorded events is recognized.

Also, from the insight into several randomly selected individual files of persons, recorded on any grounds in the Police Station, the NPM team concluded that the documentation is kept properly and carefully and timely, the documents are prepared for each event, during the existence of the reasons for the person’s stay at the Police Station.

2.11.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a special report with specific recommendations for the determined conditions of the visit, which it submitted to the Ministry of Interior, as well as to the commander of the Police Station Kicevo.

In this regard, the recommendations below are part of the submitted recommendations and the answers of the Ministry of Interior and the commander of the PS Kichevo.

Review no.21

Review of given recommendations to the Ministry of Interior	
Recommendations	Response to the recommendation
Adaptation and appropriate adjustment of separate premise intended for interrogation of persons deprived of freedom and detained persons at the Police Stations.	The Ministry of Interior does not anticipated financial assets within its budget for maintenance of objects that would be intended for repair and reconstruction of the detention premises in the police station.
Appropriate equipping of the premises where interrogation of person deprived of freedom is performed with audio or video surveillance.	The Plan for public supplies for 2018 made by MOI, supplies are anticipated for this purpose (adaptation and adjustment of the premises for interrogation of people deprived of freedom and detention in police stations).
Adjustment of special premise for interrogation and conversation with juveniles, pursuant to the Children’s Justice Act.	No answer has been received from the Ministry of Interior.



Review no.22

Review of given recommendations to the ПС Кичево	
Recommendations	Response to the recommendation
Building and adaptation of access ramp at the entry of the Police Station Kicevo for persons with physical disability, for the purpose of obtaining free access to the inner premises of the Police Station.	Request has been submitted to the Sector of Internal Affairs Ohrid-Department of General Matters, for the purpose of providing and adapting access ramp for persons with physical disability.
Establishing of special budget for providing food/ meal for the detained persons who are held more than 6 hours, pursuant to the Standard Operative Procedures of the Ministry of Interior;	Request has been submitted to SOI Ohrid in order to establish special budget for providing food/meal for the detained persons who are held more than 6 hours.

2.12

SUCCESSIVE VISIT TO THE POLICE STATION OF THE GENERAL COMPETENCE OHRID



On 29.09.2017, the Ombudsman - National Preventive Mechanism conducted an un-announced follow-up visit to the Police Station Ohrid, for the purpose of checking the implementation of the given recommendations, contained in the report prepared after the



regular visit conducted on June 5, 2013.

From the conducted visit, the National Preventive Mechanism concluded that 3 out of 4 recommendations addressed to the Ministry of Interior were not implemented and conveyed, while in relation to the recommendations addressed to the commander of the PS Ohrid, out of 8 recommendations - 4 were implemented and conveyed, 3 recommendations have not been implemented and 1 recommendation has been partially implemented.

Review no.23

Review of given recommendations to the Ministry of Interior			
Recommendations	Response	Established condition	Estimation
The detention premises must be equipped with installed calling system that will function until the construction of new detention premises.	No answer has been received by the Ministry of Interior in relation to this recommendation.	Calling system is installed in both detention premises that functions properly.	The recommendation has been implemented.
Construction of new detention premises that shall fully meet the minimum standards for detention of persons and for adaptation of special room intended for conversations with juveniles	No reaction has been received by the Ministry of Interior in relation to this recommendation.	No new premises for detention of persons were constructed, nor adaption is made of special room intended for conversation with juveniles, according to the Children's Justice Act	The recommendation has not been implemented
During the construction of new detention premises, appropriate access to be enabled for persons with certain physical disability, as well as back exit intended for entering persons deprived of freedom.	No reaction has been received by the Ministry of Interior in relation to this recommendation	The existing detention premises do not have appropriate access for the persons with physical disability, considering the fact that the only access is through stairs.	The recommendation has not been implemented.



**Review
of given recommendations to the Ministry of Interior**

Recommendations	Response	Established condition	Estimation
Providing special funds that will cover the expenses for the supply of food for the persons deprived of freedom who are kept in the Police Station Ohrid.	No reaction has been received by the Ministry of Interior in relation to this recommendation	The has been any budget anticipated by PS Ohrid for covering the expenses for supplying food for persons deprived of freedom and detained persons in PS Ohrid.	The recommendation has not been implemented.

Review no.24

**Review
of given recommendation to PS Ohrid**

Recommendations	Response	Established condition	Estimation
In the detention facility, a calling system should be installed, which would be in operation until the construction of new containment facilities.	Immediately after the visit to the NPM, a request for procurement of a calling system was prepared by the Police Station Ohrid	Immediately after the visit to the NPM, a request for procurement of a calling system was prepared by the Police Station Ohrid	The recommendation has been implemented.
In cases of high level of alcoholism, a doctor is called in order to prevent preventive action in the direction of protection of the health of a person deprived of freedom.	For the persons deprived of freedom, who are of high degree of alcoholism, as well as for the other persons with a visible health problem, a doctor is summoned by the PS of Ohrid.	From the inspection in the personal files of the detainees, it was concluded that a doctor is being called in cases of detention of alcoholized persons, and in cases when the detained persons will request it.	The recommendation has been implemented..



Review of given recommendation to PS Ohrid			
Recommendations	Response	Established condition	Estimation
Establishing regular control and supervision of detainees, as a positive practice, in order to protect the rights of persons, and to be recorded accordingly in a checklist.	The control system for surveillance of detainees is continuously carried out by the shift manager in the PS Ohrid, on several occasions during the detention of the person.	In the detention facilities cameras are installed, which ensures continuous monitoring of the detainees during their detention.	The recommendation has been implemented..
The recommendation has been implemented..	Upon the made visit to NPM, the incorrectly entered data in the registers are not deleted, nor are erased with correction fluid, but are traced over.	Correction fluid is not used for correcting errors in the records, and the incorrect data are traced over with one line.	The recommendation has been implemented.
Providing heating system during the winter period that will ensure temperature according to the stipulated international standards referring to location for deprivation of freedom,	Information related to this problem was made two times during 2013 by the Police Station of general jurisdiction-Ohrid and were sent to the Ministry of Interior (BJB) for the purpose of establishing the disadvantages and to take actions for their removal.	There is not heating system for warming the premises during the winter period that will provide the appropriate temperature according to the stipulated international standards.	The recommendation has not been implemented.



Review of given recommendation to PS Ohrid			
Recommendations	Response	Established condition	Estimation
The records in PS Ohrid to be kept properly, the individual files to include the necessary minutes, also indicating the logical course of the events since the moment of the first depriving of freedom.	The records in PS Ohrid to be kept in proper manner, the individual files to include the necessary minutes, therein confirming that the person was informed about his/her right, also presenting the logical course of the events.	The established failures referring to the manner of the records keeping and lack of important documents in the individual documentation on the persons deprived of their freedom and detained persons, failures in sense of laying down the hour when the person was deprived of the person which does not corresponds with the time recorded in the Minutes for detention of persons.	The recommendation has not been implemented.
Elaboration of monthly review index of the called, detained and kept persons to be included in the register.	Establishing of review index on the number of called and detained persons which will be prepared at the end of the current year.	No monthly review index is kept in the Register of persons deprived of freedom.	The recommendation has not been implemented.
The rights of the detained persons to be presented in a visible and apparent location in the premises for detention of persons, that is to be presented in a copy in A4 format, attached on the inner side of the door, as well as in the shift manager's office.	The rights of the detainees are presented and attached on apparent locations in the Detention rooms, as well as in the shift manager's office..	A poster with lessons about the rights of the detainees, persons deprived of their freedom and detained persons is appropriately highlighted, but in the premises for restraint, the rights are pointed out on the outside, rather than on the inside of the door.	The recommendation has been partly implemented.



2.12.1. Newly established states

Changes have been made from organizational point of view at the police station Ohrid, so that the Police Station no longer has a Police Office in Pestani, but it is transferred to the village Izdeglavje. The Personnel and Facilities Security Unit has been still functioning within the station.

From material and technical point of view, NPM team concluded that several official offices are equipped with new office desks, tables and chairs, but still most of the offices, especially those where inspectors conduct interviews and trials of suspects, are still equipped with old and worn furniture. With video surveillance, besides the detention facilities, the corridors, as well as the courtyard of the Police Station, are covered with video surveillance.

Within the station, a recognition/identification room has been adapted, however, what is worrying is the fact that there is no specially adjusted room for conversation with minors, therefore the conversations with juveniles are conducted at the inspectors' offices. More inspectors are usually placed in these offices, so other inspectors are often present during the conversation besides the inspector conveying the conversation.

In addition, NPM team found that there is no audio / video monitor system installed in none of the premises where interviews or interrogation of detainees or persons deprived of freedom, and in this sense, in order to prevent torture or other improper treatment during the examination, NPM recommends that the premises in which persons are examined to be equipped with audio or video surveillance equipment. This will additionally contribute to the protection of police officers from false allegations of alleged acts of torture, ie coercion, harassment or other forms of intimidation and making pressure on detainees or persons deprived of their freedom.

NPM team concluded that the daylight flow in the detention facilities is insufficient, and the situation with the warming of the premises is particularly alarming given the fact that there is no heating system installed. On the day of the visit, NPM encountered a hole in the wall in one of the rooms, right next to the bed, which contained electrical wiring that could pose a threat to the detained persons, and NPM immediately recommended that the hole in the wall be filled, and properly closed.

From the insight made in the Registry for the use of means of coercion, NPM, identifies omissions in the sense of not filled in columns that refer to the prepared documentation in relation to the event and the sections for assessing the justification of the used means of coercion.

Also, the Registry for Called, Detained and Deprived Persons does not contain a monthly review annex.



2.12.2. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a Special report with specific recommendations on the established state from the subsequent visit, several of which are repeated. The report was submitted to the Ministry of Interior, as well as to the Commander of the Police Station Ohrid.

In this sense, NPM team received a response from the Ministry of Interior and the Commander of the Police Station Ohrid.

Review no.25

Review of given recommendations to the Ministry of Interior	
Recommendations	Response to recommendation
Adaptation of special room for discussion with minors, pursuant to the Children's Justice Act.	There are no budget funds anticipated for maintenance of objects in 2017, for reconstruction and repair of the premises for detention of persons in the police stations.
Appropriately equipping the premises where interrogation is done of the persons deprived of freedom with audio or video surveillance.	This specific recommendation faced no reaction from the Ministry of Interior



Review no.26

Review of given recommendation to PS Ohrid	
Recommendations	Response to recommendation
Immediate repair, closing of the hole in the second detention premise in order to protect from the visible wiring in it.	The hole of the wall is closed in the second detention premises with electric wiring coming out from it, without power voltage.
Regular updating the data in the Register foruses of means of coercion.	The records, that is the Register on use of means of coercion for 2017 has been promptly updated and all data are entered in the columns.
Monthly review index to be included in the Register on called, retained and deprived persons.	Monthly review index for the year 2017 has been elaborated in the Register for persons deprived of freedom and for detained persons.

2.13

POLICE STATION OF THE GENERAL COMPETENCE OF STRUMICA



On November 24, 2017, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station Strumica.**

Police station Strumica is a police station of general jurisdiction within the Sector of



Internal Affairs Strumica and its local competence for performing police authorizations covers the area of four municipalities: Strumica, Novo Selo, Vasilevo and Bosilovo.

Within the Police Station of general competence Strumica, there are two police departments in the municipalities of Novo Selo and Vasilevo, while police patrol services operate in the municipality of Bosilovo.

The police station of general competence Strumica is located in two buildings, relatively new and renovated, which in the past were an integral part of the Barracks in Strumica. The police station has easy access to the entire infrastructure of this town, and in close proximity there is a fire station and parts of the Ministry of Defense.

Regarding the training of the police officers in the PS Strumica, information was received that regular and continuous trainings were held at the SOI Strumica, attended by the employees of the police station, and the more experienced officials hold trainings as mentors.

An access ramp has been built at the entrance of the second part being an integral part of the Police Station Strumica, which enables free access for all persons with a certain physical disability. At the entrance, there is a duty service with two officers in a shift who register the citizens and send them to the offices in the administrative departments and other interior premises in the PS Strumica.

2.13.1. Material conditions

Premises for interrogation and conversation with persons deprived of freedom and minors

The shift manager, who was at work at the police station Strumica, pointed out that there was an idea immediately next to the premise of the deputy managers that a special room would be adapted for the purpose of interviewing and interrogating detainees and persons deprived of their freedom, but until the day of the visit it is still not functional, not in use.

From the conversation with the shift manager, the NPM team was informed that until the moment of the visit they did not have a case of detention of a juvenile in the detention facilities, but in exceptional situations when there is a need for a short conversation, the juveniles are placed in a separate room intended for conversation with minors, with the constant presence of an official person and only the juvenile inspector may interview them, with the attendance of a parent, a

The police station Strumica has not adapted a separate room for interrogation and conversation with persons deprived of their freedom, detained or persons in custody.

There is a separate room intended for ON Strumica in the Police Station adapted for conversation with minors, which is located in the second building and is equipped with a donation of the Embassy of France.



social worker, and a lawyer is called ex officio.

In that direction, the deputy director and the juvenile inspector pointed out that they are satisfied with the cooperation with the Center for Social Work, with which they have excellent communication which results with solving the cases in an urgent procedure.

Detention rooms

The team of the NPM did not notice any heating body in the premises, which put into question the way these rooms are heated during the winter period when the outside temperature is very low. The rooms are with metal beds and unclean concrete floor, as well as a certain amount of moisture on the walls.

From the performed survey of the premises, the NPM determined that they are with a surface of 9.4m² and are within the minimum stipulated international standards for detention of persons. Regarding the temperature and humidity in the premises, NPM concluded that they are within the optimal values in which 17 degrees and humidity of 43 R.H. were measured.

From the inspection in the detention facilities, the team of the NPM concluded that they are conducting video surveillance, and the calling system of calling for communicating the detained person with the manager in the Police station functions as well.

PS Strumica has three rooms for detaining persons and they are located on the ground floor of the building where the police station is located.

The three detention rooms have two beds, but only one bed in each of the rooms has a mattress. In the containment rooms the flow of daylight was at a satisfactory level, but there was a lack of additional (artificial) lighting.

Sanitary knot

Within the Police Station Strumica there is one toilet (male and female), which is simultaneously used by the officials and detainees, that is by persons deprived of their freedom. The toilets are in good condition.

The toilet has mirrors and small windows with glass, which points to the possibility of self-harming of the persons deprived of their freedom.



2.13.2. Exercise of the rights of the detainees

At the very entrance of the police station, a poster, translated in seven languages, was placed on a prominent place, where the rights of the called, detained and persons in custody were highlighted, and the Code of Police Ethics was placed in a visible place in the corridor at the Police Station.

The National Preventive Mechanism team was informed by the commander and the director that the arrested persons and persons deprived of their freedom at the Police Station were also informed about the right to call a counsel, to inform a third person about their detention, that is, deprivation of freedom, such as and for the right to seek medical assistance.

The list of lawyers registered in the Lawyer's Law issued by the Bar Association of the Republic of Macedonia, which is kept at the Police Station, is also available to the called, detained and deprived persons, in the event conditions they wish to use the right to call a defending counsel.

2.13.3. Records and registers of detained persons

From the insight into the mentioned registries, the team of the National Preventive Mechanism determined that they are chronologically conducted, no correction fluid is used, according to the rules of the office work, monthly recapitulation is done and with minor exceptions, there is a numerical connection of the Register of daily events with other registries.

From the insight in the Register of Detained Persons it can be concluded that the records are kept legibly and accurately, and the recapitulation of the recorded events in this record is conducted for each month separately.

In the Register, omissions were recorded in the records, and mistakes were noted in filling in the data in the boxes referring to the hour of apprehension and the hour of release of the persons.

In general, from the insight of the mentioned registers, the NPM team concluded that the records are kept legibly, clearly and neatly in general. In the books of records, no correction fluid is used at all, a chronological track of the recorded events is recognized and there is a monthly recapitulation of events.

The National Preventive Mechanism team concluded that in the files of the detainees, in the cases when a doctor is called, there is a lack of a medical note by the physician for the performed examination.



2.13.4. Recommendations and acting based on given recommendations

The Ombudsman - NPM prepared a special report with specific recommendations for the determined conditions of the visit, which it submitted to the Ministry of Interiors, as well as to the commander of the Police Station Strumica.

In this sense, the NPM team received a response from the Ministry of the Interior and the commander of the Police Station Strumica

Review no.27

Review of given recommendation to the Ministry of Internal Affairs	
Recommendations	Response to recommendation
Adaptation and appropriate adjustment of special premises for interrogation of persons deprived of freedom and detained persons within the PS for ON Strumica	There are no anticipated budget funds for 2017 for maintenance of facilities intended for reconstruction and repair of the detention premises in the police stations.
Appropriately equipping the premises where interrogation is performed of persons deprived of freedom with audio and video surveillance.	The Plan of Public Supplies for 2018 of MOI supplies are anticipated for this purpose (adaptation and adjustment of premises for interrogation of persons deprived of freedom and their detention in the station).

Review no.28

Review of given recommendation to PS Strumica	
Recommendations	Response to recommendation
Intervention to be done on the detention rooms in relation to the artificial light, to complete all the beds with mattresses and blankets, to install heating and to repair the floor.	Follow act has been submitted with the special report to the Department for common affairs within SOI Strumica, in order to improve the situation in the premises for detention and completion with mats and blankets, heating and removing the floor.



Review of given recommendation to PS Strunica	
Recommendations	Response to recommendation
To accommodate separate toilets for detainees and persons deprived of freedom to be regulated in accordance with the security principles for the protection of this category of persons.	A supplementary act was submitted with the special report to the Department for common affairs of the Sector for Internal Affairs Strumica in order to adjust the separate toilets for detained persons and persons deprived of freedom, which will be regulated in accordance with the security principles for protection of this category of persons.
To provide official medical notes from the doctor after a medical intervention, in situations where the detained person needs medical care.	The shift manager in PS UN Strumica in the section for providing medical assistance regularly records the Minutes of the detained person, while this is registered by the called Medical team, by imprinting a stamp from the doctor.



GENERAL RECOMMENDATIONS FOR VISITED POLICE STATIONS IN 201

1. Reconstructing the existing and building new police stations in accordance with the adopted "Strategy for Police Development 2016-2020", envisaged in the concrete objective 2.5 "Strengthening the Physical Capacities of the Interior and Police Stations";
2. To renovate the premises for detaining persons in the police stations in accordance with the determined action plans in order to fulfill the minimum international standards for accommodation and protection of persons deprived of their freedom and detained persons;
3. Police stations in which the detention facilities do not meet the minimum international standards, to be redirected, until their rehabilitation or construction of new premises, and the detained persons to be sent to police stations that meet the conditions for detention;
4. To make-over special premises for interrogation and interviews with detainees, persons deprived of their freedom and retained persons and to provide video or audio surveillance in them;
5. Adapting special rooms for conversation with minors, in accordance with the Children's Justice Act;
6. The rights of persons deprived of their freedom and detained persons in the premises where the persons who are summoned, arrested or detained due to their full and timely information properly to be placed at the police stations;
7. For every call of a doctor for the examination of a detained person in a police station, in the file of the detained person it is obligatory to have a doctor's finding for the established condition of the conducted examination;
8. Providing an institutional solution and a special budget for exercising the right to food (meal) for any person who has been detained for more than 6 hours at all police stations, in accordance with the Standard Operating Procedures for the treatment of persons whose right to freedom of movement is restrained;
9. Reorganizing and providing additional number of managers in accordance with the envisaged Act on Organization and Systematization of the Workplaces, which will ensure the complete (24/7) realization of the need for competent acceptance and detention of persons at the police stations;
10. Adaptation of special toilets for officials, as well as for detainees, persons deprived of their freedom and detained persons, which shall be regulated in accordance with the security principles of protection;
11. Construction and adaptation of access ramps to the police stations, intended for persons with physical disabilities, which will enable free ac-



- cess for all persons to the police station and other interior premises;
- 12. Organizing continuous lectures, courses and trainings of police officers who are in charge for detaining persons, as well as of other police officers, about the importance of the legal and ethical work of the police and for taking better care of the citizens;**
 - 13. Timely and promptly entering of the data in the records system, specifically at the moment of the undertaken actions and taking in account the logical course of the events, which will enable proper and prompt keeping of the records of the detainees, persons deprived of their freedom and detained persons.**



3

VISIT TO PENITENTIARY INSTITUTIONS AND ESTABLISHED CONDITIONS

During the year 2017, the National Preventive Mechanism conducted a total of 3 preventive visits to penitentiary institutions, one of which was a regular visit to the Strumica Prison and the Prison Department of the Skopje Prison, and one subsequent visit to the Kumanovo Prison.

The visits were made unannounced, based on a previously prepared visit plan, in accordance with the Methodology and the Rulebook on the manner of prevention of torture and other cruel, inhuman or degrading treatment or punishment.

Upon each visit, the National Preventive Mechanism team specifically emphasized the ban on sanctions against any person or organization providing information to the NPM, whether false or true, and it was stressed that no person or organization must be harmed or mistreated in any way for the information provided.

Special reports were prepared for specific situations with specific recommendations, which were submitted to the directors of the institutions and to the relevant authorities and ministries



3.1

DETENTION DEPARTMENT -PRISON SKOPJE



On April 25, 2017, visit was made of the detention unit of the Skopje Prison by the National Preventive Mechanism, in cooperation with external collaborators - representatives of the Association of Psychiatrists of the Republic of Macedonia and the Association for Forensic Medicine of the Macedonian Medical Association, on the basis of the previously concluded Memoranda for Cooperation. During the visit, NPM team was also joined by members of the United Nations Subcommittee on Prevention of Torture.

At the beginning of the visit, the team of the National Preventive Mechanism and the members of the United Nations Subcommittee on Prevention of Torture faced an unprecedented practice to be searched by prison guards before entering the Prison facility.

The director of the Prison tried to justify this behavior by the fact that it was an unannounced visit, and the conduct of several detainees accused of serious criminal offense (terrorism) was conveyed simultaneously with the visit, for which reason it was supposedly necessary to take the additional preventive security measures for checking all persons entering and leaving the Institution

However, the National Preventive Mechanism believes that this behavior is contrary to the spirit of the Optional Protocol to the Convention against Torture, which clearly stipulates that the States should provide exercising of such privileges of the members of the National Preventive Mechanism that are necessary for the independent exercise of their function. Notwithstanding the fact that it is accepted that the basic security measures should be applied in favor of all participating members, it is equally important that the members of the National Preventive Mechanism and the Subcommittee on Prevention of Torture should in no way be restricted in their work nor should feel they could be subject to any form of pressure.

In this sense, the routine examinations of the body or the search of members of the National Preventive Mechanisms of the Subcommittee on Prevention of Torture during



the exercise of their function are in collision with the spirit of the Optional Protocol to the Convention against Torture, which is why they are unacceptable.

3.1.1. General data

The detention unit of Skopje Prison has a capacity for 310 detainees, and on the day of the visit, a total of 182 people were accommodated in the Prison. They are deployed in 6 so-called. "Corridors" and that's "A", "B", "C", "D", "D" and "F". This unit is spatially separated from the convicted wings, so that the detainees have no contact with the persons serving a prison sentence at the Skopje Prison.

The National Preventive Mechanism also concludes that detained persons from different sexes and persons who are accused of complicity in committing a crime are not accommodated in the same room.

In the corridors where the detention facilities are located, there are blockers for telecommunication network in order to prevent the use of mobile phones by the detained persons who in various ways managed to obtain them.

In the corridors where the detention facilities are located, blockers for telecommunication network are installed in order to prevent the use of mobile phones by the detained persons who in various ways managed to obtain them.

However, the National Preventive Mechanism concluded that in some places in the corridors, as well as in some of the premises where the detainees were accommodated, the signal of the telecommunications (mobile) networks was not blocked. Some of the detainees pointed out that placement or relocation in premises where the signal of telecommunication (cellular) networks is not blocked is often followed by bribery, i.e. payment of officials for this. The detainees also pointed out that a mobile phone can be purchased for a certain amount of money, and most often it is done through some of the officers employed in the Prison.

3.1.2. Material conditions

The natural light that penetrates through the windows in the rooms is sufficient for effective reading.

In the accommodation rooms there are no separate ventilation systems installed, so ventilation and fresh air flow is carried out through the windows in the room itself. In part of the premises, especially in those where hygiene was not at the appropriate level, the air was suffocating, and there was also a stench of urine and feces.

The National Preventive Mechanism team concluded that there is a high level of moisture and mildew on the walls, especially in the area around the windows. The fact that it is leaks from the windows that were replaced with relatively new ones it establishes that



the installation of these new windows was not done properly.

As a direct consequence of this condition, some of them cited persistent headaches and difficulty breathing. Namely, in most rooms the relative humidity was above the upper limit of 60RH and ranged around 68-70RH.

However, it often happens that security service officers do not hear these calls, especially if they are currently on the opposite side of the hallway. This is a serious problem in cases where urgent intervention is required by officials.

In some of the rooms, the detainees had radio receivers, but in no room the NPM team caught a TV receiver, despite the opportunity provided for in the Rulebook on house rules for execution

During the conducted survey of the premises in which the detainees are accommodated, the National Preventive Mechanism concluded that the minimum standards for accommodating squares per person (4/m²) were not fully met. Namely, in a room of 6m² (length 3,15 m and width 1,9 m) two persons were accommodated, while in another room of 20m² (length 5m and width 4m) there were 8 persons.

The National Preventive Mechanism concluded that a separate bed was provided for each detainee, but most of the mattresses on the beds were old and dilapidated, and some were torn and unclean.

However, in several rooms, the National Preventive Mechanism team concluded that there was no artificial (electrical) lighting or it was insufficient due to the fact that some of the broken lamps were not changed.

of the detention measure, where, among other things, it is also envisaged that radio and TV receivers can also be provided by the Prison.

In the Prison there is no separate dining room where the detained persons would consume the food, so the meals are consumed in the premises where they are accommodated.

On the day of the visit, the team of the National Preventive Mechanism concluded that the hygiene in some of the premises was not at the appropriate level and that the premises were not ventilated at all, that

The high level of humidity in almost all visited premises is a serious problem, which directly affects the deterioration of the health condition of the detainees.

The temperature in the premises where the detained persons were accommodated ranged within the lower limit of the minimum envisaged standards (18-25°C), ie from 18-20°C.

The National Preventive Mechanism concluded that the warming of the premises in the winter period is inappropriate, ie that the heating bodies (radiators) are included only periodically, that is, only after several hours, and most of the day temperature in the premises is below the minimum predicted standards (18-25°C)



is, the air was suffocating.

The room in which the detainees were housed was also separated by a separate corridor from the premises where the detainees are housed, and the material conditions do not differ from the ones described above. An exceptionally poor material situation was encountered in a room next to the room where the detainees were housed and which was locked on the day of the visit.

In some of the rooms visited, the doors from the sanitary facilities were removed, thus violating the privacy of the detainees when using them. Also, due to a malfunction of some of the bottlenecks in the sanitary facilities, the detainees are forced to use plastic bottles of water.

In none of the visited premises where the detainees were housed there was no functional system for calling the officials, therefore establishing contact between detainees and officials is through shouting and knocking on the doors.

The detainees interviewed pointed out that despite the obligation stipulated in the Rulebook on the house rules, the prison doctor does not control the hygiene of the detained persons and the premises in which they reside.

The National Preventive Mechanism team also noted that female officers from the Security Sector are present only in the first shift, that is until 16:30 hours, while after that period, the supervision over the detainees is performed by members of the Security Department of the male sex.

The National Preventive Mechanism team from several officials received different information for the period in which this room is allegedly not being used. In this sense, some officials said that the room was not used for 8-9 months, while other officials said that it was not used for 2-3 months. Contrary to this, the information received from some of the detained persons indicated that, in the room two to three weeks before the NPM's visit, detainees were accommodated

One of the reasons for this was the low number of female employees in the security sector, especially in cases where some of them are using sick leave, they use vacation or, for some other reasons, are absent from work.

On the basis of the established situation, the team of the National Preventive Mechanism concluded that the rooms for accommodating the detained persons did not meet the spatial, health and hygiene conditions.

The NPM team also concludes that the state of the premises in the corridor "B" is particularly alarming, which prompted the urgent renovation and relocation of detainees to other premises with better conditions.

Baths

From the inspection in the baths, the NPM concluded that they were renovated, ie new tiles and plumbing were installed, but even so some of the taps were broken. From



interviews with detainees and officials, information was received that detainees are bathed at least once a week and when needed. Some of the convicted people complained that hot water is often missing during bathing.

Promenade

The National Preventive Mechanism team from the performed inspection in the area intended for walks of detained persons concluded that there are no means of rest at all, such as tables, benches or chairs, nor has there been a covered section where the detained persons could ride in bad weather weather conditions.

3.1.3. Treatment and degree of exercising of rights

It was point out for some of the officers that they behave roughly and rudely, that is, they communicate with the detained persons with a high tone and humiliation. However, none of the detainees with whom it was discussed complained that they were physically harassed.

From interviews with detainees, the National Preventive Mechanism team received information that it was often the case that detainees were insulted on a national basis, and especially members of Roma nationality.

3.1.4. Search

From the interviews conducted with the detained persons, as well as with some of the officials, the National Preventive Mechanism concluded that personal searches for the detained persons are performed by same-sex officials and that in some occasions, but not always, two persons are present at the time of the search.

Some of the detainees said that the searches were carried out in the "on-duty" room where they were exposed to the views of other officials, and the fact that is particularly concerning is the information that some of the officials during the searches were "rude, insolent and humiliating"



3.1.5. Conduct of detained persons

The custody of the detainees, as a rule, is carried out by members of the Security Department of the Prison. However, the National Preventive Mechanism team was informed that in cases involving detained persons charged with serious crimes (terrorism, etc.) and who are at high risk for their safety or danger of escape, members of the the special forces of the Ministry of Interior (MOI) also assists during the detenting .

Considering the complaints about psychological and physical abuse of detainees during the conducts in which the members of the special forces of the Ministry of Interior participate, the National Preventive Mechanism recommends the Prison Administration to undertake serious measures to investigate every reported case of any harassment or abuse. In doing so, the competent state prosecution authorities (the Ministry of Interior and the Public Prosecutor's Office) shall immediately be informed of this, which will initiate a procedure for examining the allegations and the existence of eventual liability.

3.1.6. Right to walks outdoor

The National Preventive Mechanism concluded that the right of walks are not fully respected for the detained persons, since the walks last less than the legally stipulated time of 2 hours, and they are usually in duration of one hour, up to an hour and a half.

The National Preventive Mechanism finds it unacceptable that the detained persons be simply left for weeks, and for months locked in their premises, especially in such circumstances, and therefore it is recommended that these persons be able to spend a reasonable amount of time from the day (8 hours or more) outside the premises, engaged in tematic activities of a different nature.

In addition to daily walks, detainees interviewed pointed out that they spent the rest of the day (more than 22 hours) locked in their premises.

3.1.7. Right to visit

The detainees with whom discussion was made had no complaints regarding the right to visits and pointed out that the visits were carried out in a separate room for that purpose, very often without the presence of members of the Security Department.

Regarding the visits from counsel, the House Rules stipulate that "the counsel of the detained person can visit the detained person every working day without limitation of the duration of the visit, but within the working hours. In exceptional cases, upon the approval of the court conducting the procedure, the visit may be performed on another day



or beyond the specified time. "

Despite the provision is stipulated as such, the detainees pointed out that the duration of the counsel's visit is limited to one term of about 1 hour, as well as visits with other persons.

3.1.8. Complaint system

During the conversation with the director of the Institution, he stressed that any detained person could inform him on any violation of the rights related to the stay and treatment in the Prison, but that in the previous cases of making complaints, the complaints or objections were most often groundless. Contrary to this, some of the detainees said they did not have a direct access or opportunity to complain directly to the director.

The National Preventive Mechanism team concludes that every Friday, detainees are visited by a judge from the competent first instance court (Basic Court Skopje 1 - Skopje), appointed by the president of the court, who, according to the Law on Criminal Procedure, performs the visits without the presence of the supervisor and the guards and if it finds it necessary, it is informed how the detainees are fed, how they are supplied with other needs and how they are handled.

From the interviews with detainees, the team of the NPM concluded that the visits by judges are more routin than essential, that is, judges do not usually enter the premises, but only formally "from the door" and in the presence of members of the Security Sector ask the detainees if they have any problems. All this affects the detainees not feeling confidently to discuss about the problems related to their needs and their treatment.

The National Preventive Mechanism concluded that in the detention unit of the Prison no boxes of the Ombudsman have been placed and that the complaints addressed to this institution, as well as the overall remaining correspondence of the detainee with persons outside the Prison, takes place with prior knowledge and under the supervision of the body that conducts investigative procedure.

3.1.9. Ambulance and pharmacy

The Outpatients' department (surgery) of the Prison represents one unit with three rooms (doctor's room, bed for medical examinations and interventions, nursing room with files and pharmacy). The clinic is equipped with an ECG (which is in functional condition), a defibrillator (for which non-medical staff from the Prison are trained and training) and equipment for microsurgery (basic interventions).

The selection of medicines that are obtained in the prison pharmacy is generally at a satisfactory level; the Clinic has the optimum choice of psychiatric medicines - neuroleptics of the older and newer generation (excluding third generation neuroleptics), more recent antidepressants, and several types of anxiolytics. If there is a need for any specific medicine that is not in the Ambulance pharmacy, it is ordered and supplied from the outside.



Detainees have the right to take their own treatment privately. In this sense, the NPM team concludes that the principle of equivalence with respect to medicament therapy is met.

3.1.10. Nutrition of detained persons

Food stocks in the kitchen were with proper shelf life and are consisted mainly of canned foods. Fresh fruits or vegetables were not observed at all.

Regarding the diet, the detained persons receive three meals a day, but all the persons interviewed complained about the quality of the food, and the complaints are mostly related to the lack of a protein of animal origin in the diet.

3.1.11. Health protection

The medical service of the Prison Skopje is in the phase of transformation in terms of transfer of competence from the Ministry of Justice within the Ministry of Health. At the time of the visit, the service was still functioning under the jurisdiction of the Ministry of Justice.

The medical service staff consists of 2 general practitioners, who currently specialize in psychiatry and one nurse.

The doctors work in two shifts during the working days from 08:00 to 20:00, while on Saturdays from 08:00 to 15:00 hrs. The working hours of the nurse are every working day from 07:30 - 15:00 and on Saturday from 07:30 to 12:30.

Emergency medical cases during the night are under the responsibility of the commander of the shift. In case of urgent emergency intervention during the night hours or transfer to a health institution outside the Prison, an ambulance is called.

The small number of staff in the Prison Health Service is alarming, and this specifically refers to the number of nurses. The fact that should be worrying is that only one nurse works in the Prison and that during the night and during the weekends (except on Saturdays in the morning) there is no medical staff at all in the Prison. NPM recommends urgently engaging nurses in a number that can provide a 24-hour continuous attendance of medical staff in the Prison.

Regarding the specialist services, the Prison has a dentist employed, who works every

With such established working hours, it is evident that there is no medical personnel from any profile during the night.

All detained persons who are accommodated within the institution at weekends are checked during the working day after the weekend.



working day and in Saturday until 15:00. Twice a week, on Tuesdays and Thursdays, the Prison is visited by a psychiatrist from 16:00 to 20:00.

In this regard, introduction of a Guideline is recommended for the application of methods of physical restraint of patients, which will contain data on the reasons for the application of the fixation, as well as the manner in which such restraint is carried out. It should be emphasized that physical restraint should be applied only for medical (psychiatric) indications, in cases when there is a risk of self-injury and that it must not be used for disciplinary purposes.

The Distribution of drugs in the Prison is performed by the employees in the Security Sector, which is not in accordance with Article 5 of the Instructions for access to a doctor by convicted persons in the institution, distribution of medicines, medical examination outside the institution, therefore the NPM team recommended the distribution of drugs without exception to be carried out by appropriate and qualified medical personnel.

From the insight into the Registry of Injuries, the team of NPM concluded that the health service is obliged to report the injuries to the detainees solely to the director. From the insight in the Injury Register and from all reviewed files, records could be found that the Prison Director was notified of the injuries.

The NPM team also stated that there is no guidance in the Prison to initiate physical restraint of detainees and convicts, which is necessary in order to avoid possible abuse through the use of the means of restraint.

The NPM team recommended that the records on the traumatic injuries in the registry should include "body pattern" that will indicate the place/location of the injuries. The same body pattern should also be included on special forms that should be entered in the prisoner's medical records. If there are photographs of the injuries, they should be entered in the medical records.

The listed elements should be stated in the Injury Register and in the medical records of the detainees also when it comes to traumatic injuries obtained during the stay in the Prison.

Whenever the allegations of detainees on the physical occurrence of injuries by another person or of ill-treatment by the police correspond to the description of injuries by the doctor, the Prison Administration should automatically and immediately report the case to the public prosecutor and the police, regardless of the wishes of the prisoner who suffered the injuries.

Such register, inter alia, should contain clauses on the causes of the death, the conditions in which it occurred, the relevant medical history of the deceased, etc. It should also provide a better insight into the number of deaths annually as more frequent and at the

The NPM team finds that the Injury Register has a lack of column related to physician's conclusion for consistency or inconsistency of the statements of the detainees for the physical injuries and the description of the injuries by the doctor.



The NPM team also stated that the medical personnel should be provided with training on the manner of registering traumatic injuries and on the manner of reporting them.

The National Preventive Mechanism also concluded that there is no central register of deaths (deceased patients).

same time as an indicator of several different factors, such as the prevalence of certain medical conditions in prisoners, the effectiveness of health services, prison conditions, and so on.

Review no.29

Review of given recommendations and received answers to the Skopje prison	
Recommendations	Reactions to recommendation
Increasing the number of female officers in the detention section of the Security Department who shall carry out surveillance over the female detainees within the Prison;	No reply has been received by Skopje prison regarding the given recommendation.
Provision of bed with appropriate mattress and clean sheets for each detained person;	Supply is made of around five hundred new blankets and sufficient number of mattresses and sheets, at least in double quantity of accommodation capacity of the Institution.
Regarding the available accommodation capacity of the Prison, the detainees to be allocated in the premises in the manner that shall satisfy the minimum stipulated standards for accommodation squares per patient (4m ²);	Taking into account the current situation of the number of detainees within the detention department, the utilized capacity is of approximately 60 percents thus resulting with taking into consideration for compliance with the minimum stipulated standards for accommodation square surface per person.
All premises to be provided with appropriate additional electric illumination in order to provide light in the premises where there is no light or where bulbs are broken and should be replaced with new ones.	The illumination in the rooms where the detainees are accommodated and in the halls and corridors of the detention department has been improved, and the bulbs are replaced with new ones where needed.



Review of given recommendations and received answers to the Skopje prison	
Recommendations	Reactions to recommendation
The temperature in the rooms where the detainees are accommodated should be continuously within the frames of the stipulated standards (18-25°C), particularly in the winter period when there is a need of appropriate warming of the rooms.	Repair has been made on the part of the main line for heating of the premises which was damaged due to the dilapidation of the installation, for the purpose of improvement of the heating in the rooms.
Broken and unfunctional toilet tanks or other sanitary facilities which are broken or damaged to be repaired or replaced with new ones.	The toilet tanks and the plumbing installation has been completely inspected and replaced with new element where needed, with the exception of several showers for which provision of the needed intermediate products is necessary for replacement.
Take urgent measures to reduce the level of humidity in the premises and remove mold from the walls.	In order to overcome the problem of moisture it is necessary to carry out large-scale construction works that would consist of adequate thermal insulation from the outside of the building, and this problem has been currently solved by not accommodating detained persons in the premises where the moisture appears.
The prison doctor to carry out proper control over the hygiene of the detainees and the premises where they are staying.	No reply to this recommendation has been obtained by Skopje Prison.
Taking measures for immediate improvement of the quantity and quality of food distributed to the detained persons and preparing and serving it in accordance with previously prepared lists of dishes.	Preparation and division of food is prepared on the basis of a prepared list of dishes during the week, and the institution has a sufficient quantity of food products.
Officials in the communication with detainees should respect their dignity and their personality, and the offending and defamatory conduct of the detained persons shall be subject to disciplinary responsibility of the official person.	NO answer has been received by Skopje Prison on the given recommendation.



Review of given recommendations and received answers to the Skopje prison	
Recommendations	Reactions to recommendation
The search of the detainees should be carried out in a manner and in accordance with the rules envisaged and that no premises shall be used where detained persons would be exposed to the views to the other officials.	The search shall be carried out in a separate room for that purpose in accordance with the protocols-rules. For the proper realization of this, the duty shift commander is appointed, which is determined by the prison guards supervisors who will conduct the search of the newly detained person.
The detained persons should be fully respected with the right to walks and it shall be with a duration of at least 2 hours.	In accordance with the plan envisaged based on the schedule and the number of persons accommodated in the detention unit, the walks on fresh air are placed in six groups, and according to the current conditions, it is in duration of 1 hour and 25 minutes for each group of detainees.
To ensure that detained persons can spend a reasonable amount of time from the day outside the premises, engaged in thematic activities of a different nature.	No answer has been given by Skopje Prison on this recommendation.
The distribution of medicines in the Prison to be performed exclusively by medical personnel.	The distribution of drugs on weekdays is attempted exclusively by medical staff-nurse, but currently only one nurse is employed, which is why the implementation of this recommendation is a real problem.
The provisions referring to medical examination to be met upon the receipt of each convict/detainee during the first 24 hours from the reception, which should also be applied for the weekend, pursuant to the Guidelines for medical examination upon arrival of detained persons and juveniles within the Institution	The working hours of the doctors has been organized in the manner that there is doctor on duty in Saturdays, in the morning hours, for the purpose of providing consistency with the provisions for medical examination upon the receipt of any convict/detainee during the first 24 hours from the reception.
Regisetr of deceased persons to be introduced in Skopje prison.	In the mean time, register has been established for evidencing death cases in the penitentiary institution Prison-Skopje.



Review of given recommendations and received answers to the Skopje prison	
Recommendations	Reactions to recommendation
The register of injuries to be complemented with column for entering the findings of the doctor related to the consistency or inconsistency of the statements made by the detainees regarding the suffered physical injuries and the description of the injuries by the doctor.	No answer has been obtained by the Prison Skopje regarding the given recommendations.

Review no.30

Review of given recommendations and received answers to the Office for execution of sanctions	
Recommendations	Response to recommendation
To provide funds for the immediate installation of a functional communication system in all detention facilities for the purpose of easier or timely establishment of contact between detainees and officials.	Each penitentiary institution individually within its available budget renovates the necessary equipment, and in the Directorate for Execution of Sanctions the realization of the project “Reconstruction of penitentiary-correctional institutions in the Republic of Macedonia” is ongoing, and within the second phase of the realization of this project, that is, during 2018 and 2019, reconstruction and construction of new facilities is planned in the Prison Skopje.
To provide funds, so that in the space intended for walks of detained persons, tables, benches or chairs shall be placed and a covered part should be provided, where the detained persons could have a walk in bad weather.	
The premises and the equipment of the health service should be upgraded in accordance with the existing standards and in accordance with the provisions in the Guideline on minimum technical standards in the health units of the institutions.	



Review of given recommendations and received answers to the Office for execution of sanctions	
Recommendations	Response to recommendation
Urgent engagement of sufficient number of nurses, which will enable 24-hour presence of medical staff in the Prison.	A procedure is ongoing to amend the text of the Law on Execution of Sanctions, which envisions the Ministry of Health to play a greater role in the implementation of health care for convicted and detained persons in penitentiary institutions.
Introducing Guidelines on the application of methods of physical restraint, which will contain all necessary elements which according to international standards are protective mechanisms in relation to physical restraint in prison conditions and it should contain data on the reasons for the application of the fixation, as well as the manner in which such restraint is carried out.	A separate Guideline for the treatment of the use of methods for physical restraint will be elaborated.



3.2

PRISON STRUMICA



A visit to Strumica Prison was performed by the National Preventive Mechanism team on 23 and 24 November 2017 in cooperation with external collaborators and experts from several areas and associations: psychiatrist from the Association of Psychiatrists of the Republic of Macedonia, Psychologist from the Psychologists' Chamber, a forensic Institute of Forensic Medicine, Criminology and Medical Deontology and Social Worker from the Association of Social Workers of the City of Skopje.

Strumica Prison is a penitentiary-correctional facility of a semi-open type where the primary security is the physical security provided by the members of the Security Sector. According to the Decision on the deployment of convicts in the penitentiary houses², male prisoners - sentenced by a final sentence of imprisonment up to 3 years - are sent to this Prison, ie when the rest of the sentence after the calculated detention is up to 3 years, as well as male faces repatriated, convicted with a final sentence of imprisonment up to 6 months, ie when the rest of the sentence after the calculated detention is up to 6 months.

The capacity of the Prison is for 65 people, while at the time of the visit there were a total of 85 persons serving prison sentences and 17 people who were on the run.

In this sense, the NPM team finds overcrowding in some of the premises and disregarding the minimum stipulated international standards for accommodation of convicted persons (4m² per person)³. Namely, in one of the

²Decision on deployment of convicted and juvenile persons in the penitentiary and correctional institutions and detainees in the detention units of penitentiary institutions adopted by the Minister of Justice in July, 2008.

³The CPT's minimum standard for personal living space in prison establishments(- 6m² of living space for a single-occupancy cell+ sanitary facility- 4m² of living space per prisoner in a multiple-occupancy cell+ fully-partitioned sanitary facility)



rooms with an area of 16m² were accommodated 5 people, while in another room with an area of 24m², 7 convicted persons were found. The NPM team also concluded that 10 convicts were accommodated in some of the premises, which is contrary to the Law on Execution of Sanctions wherein stating that the maximum number of persons that can be accommodated in same room for overnight stay is 5 convicts.

In addition to the excess number, a serious problem in the Prison is the lack of employees in all sectors.

Particularly worrying is the fact that in the Security Sector there is no female employee at all, therefore the anticipated search for women who come to visit convicts is not implemented in general. The lack of staff in the Sector for Re-socialization is also a problem that directly manifests itself on (in) the possibility of implementing appropriate program and treatment activities against convicted persons

3.2.1. Material conditions in the rooms

During the inspection of the premises in which the convicts were placed, the team of the NPM concluded that for each convict, there is a separate bed with a mattress and clean bed sheets.

The Hygiene in most of the premises was at an appropriate level, and the convicts themselves were the ones who were responsible for it. There are large windows in the rooms, so there is enough daylight flow, and at the same time ventilation of the premises is done.

The convicts pointed out that heating in the winter period is at an appropriate level, and the NPM team, after the measurement, concluded that the room temperature is 19°C, while the air humidity level is 40 RH%.

In some of the rooms there were additional heaters, a TV set, a table as well where the convicts place their personal belongings.

Baths

From the inspection of the baths, the Ombudsman concluded that they were renovated, i.e. new tiles and plumbing were installed, but some of the taps were dysfunctional. From the interviews with the detainees and the officials, information was obtained that the detainees bathe at least once a week and when necessary. Some of the convicts complained that the hot water often runs out during bathing.



Solitary confinements

The prison has 3 isolation rooms, i.e. the solitary confinement of the convicts. In this section, as the officials informed us, the most frequently newly convicted persons who are at high risk of escape or self-harming and persons who are serving a disciplinary sentence - solitary confinement are accommodated and detained.

The detention of newly admitted convicted persons in the isolation rooms, before they are deployed in the premises in the appropriate department - open and semi-open, is due to the fact that there is not yet a separate unit in the Prison.

In this sense, the NPM team concludes that this way of accommodation of different categories of convicted persons in the isolation rooms (newly-received and persons serving a disciplinary measure in solitary confinement) leads to a possible criminogenic infection, thus there is a possibility of reducing the final result/the purpose of the accommodation itself in this part of the Prison.

The NPM team also noted that there were three beds for convicted persons in all three rooms, which in itself refers to the fact that it is not a matter of classical solitary confinement.

The detention of newly admitted convicted persons in the isolation rooms, before they are deployed in the premises in the appropriate department - open and semi-open is due to the fact that there is not yet a separate unit in the Prison.

During the conversations with the officials, it was emphasized that the persons who are currently serving the disciplinary sanction of solitary confinement are usually separated in the three rooms, but in the situations when there is a need and when is necessary to accommodate several convicted persons in these rooms for isolation, two or three persons are simultaneously held in the premises.

The NPM determined that these premises are in extremely bad condition, with extremely unhygienic conditions, soiled and dirty blankets and mattresses. There are no classic beds in the rooms, but these are wooden boards (frames) on which mattresses are placed at each accommodation of some of the convicts.

NPM team expressed serious concern about such findings and recommended urgently to stop the practice of accommodating more persons at the same time and to place and retain solely one convicted person in the premises, which would prevent the possibility of causing a certain incident between the convicts who are serving a disciplinary measure "referral to solitary confinement" and newly convicted persons in the Strumica Prison.

The measured temperature in the room was 13°C, which is below the acceptable limits (18-25°C) and the humidity level was 42% RH, which is within the generally accepted limit of 20% RH to 60% RH.

At the entrance, in the part where the three isolation rooms are located, there is a functional reference system used by the convicts for calling (signal-



ing) the NPM considers that a functioning calling system must be set up in each individual solitary confinement, so that any sentenced person in solitary confinement may at any time alarm on a particular need or assistance.

Toilet

On the upper floor of the Strumica Prison, where most of the convicts are housed, there are two toilets, one of which has been renovated and is in operation, while the second toilet is in poor condition and strong stench of urine is spreading. Also, for convicts accommodated in the isolation rooms, there are separate toilets, which are also in extremely poor condition with dysfunctional sanitation.

Promenade for convicted persons

The space for outside walk of the convicts provide sufficient opportunities for staying in the open, in accordance with the applicable legal regulations. The yard of the Prison is clean and tidy, with seating benches and tables and it is maintained and cleaned daily.

Right next to the isolation rooms there is the promenade for the people accommodated in these rooms. This promenade is isolated, small and enclosed. Also, the promenade is not covered and protected in case of bad weather conditions, which limits its use. There are no rest facilities, ie benches and chairs on the promenade.

Farm

Within the Strumica Prison, in the outer part, next to the training hall (gymnasium) and sports and recreation grounds, there is a farm in which several convicts are engaged in keeping and breeding livestock.

This way of working engagement of the convicts positively influences in the direction of useful fulfillment of their time and the creation or preservation of working habits.

Ambulance

The medical staff ordinates in the room – a surgery premise that has a desk, medicine cabinet, medical documentation and an intervention bed where the nurse gives ampoule therapy.

Namely, from the medical apparatus, a stethoscope and a blood pressure device was taken by the doctor and the nurse during the examinations and then returned to the Health Center from where they come from. The medical persons also bring with them the measuring

The NPM team concluded that the ambulance is not equipped with the necessary medical devices.



instrument blood sugar.

In the surgery premise there is a missing oxygen device (a bottle), auxiliary devices for general neurological examination, devices for determining the type, an apparatus for examination of ear shells, etc. There is also no apparatus for resuscitation, nor did any of the medical services attend an education on the use of such an apparatus.

Regarding drugs supply, NPM concluded that medicines for chronic diseases, pulmonary and cardiac diseases were purchased, medicines for people with psychiatric disorders, analgesics, and anaphylactic therapy were also procured. All medicines are kept closed, in a special cabinet, where access, according to the doctor's instructions, has only medical personnel.

According to the NPM assessment, the amount of available drugs is low and does not meet the full needs for the treatment of convicted persons. These allegations were also confirmed by the convicts who stated that they often took part of the drugs from their own funds.

3.2.2. Health protection

There is no regular medical staff at the Strumica Prison. The health care of the persons is covered by a general practitioner and the nurse employed in the Health Center Strumica, whereby the penitentiary institution has concluded an agreement for providing health services to convicted persons.

In exceptional cases, the doctor may be called in addition, but this happens rarely, considering that the Emergency Medical Service from the city of Strumica is calling for emergency cases, which according to the allegations of the officials is a good cooperation.

During one visit, the medical staff performs a dozen patient examinations, so that on average, the number of examinations per month is about sixty patients. Therapy is prescribed by the doctor and if parenteral therapy is needed, it is shared by the nurse. However, the NPM team concludes that every ill person is given therapy for several days to keep within himself for the period when the penitentiary institution does not have the presence of a medical person.

During one visit, the medical staff performs a dozen patient examinations, so that on average, the number of examinations per month is approximately sixty patients.

Therapy is prescribed by the doctor and if parenteral therapy is needed, it is shared by the nurse.

The doctor and nurse come twice a week and remain only a few hours later.

However, the NPM team concludes that every ill person is given therapy for several days to keep with himself for the period when there is no medical person present at the penitentiary institution.



In this regard, the NPM team pointed out that according to the "Guidelines for access to a doctor in the institution, distribution of medicines, medical examination outside the institution", the convicted person can keep symptomatic therapy in reasonable amounts, according to the doctor's assessment, and if the doctor approves, while the medicines that are dangerous and that are used in excessive doses are stored in the prison pharmacy and daily doses are administered individually to the convicts by a medical practitioner.

In addition to the disadvantages with regard to the sharing of therapy, the fact that is worrying is that in the Prison, the health care services are not performed at

all by a psychiatrist or a doctor internist, and there is also no employed or engaged dentist so the convicts pointed out that they must pay for health services in private dental clinics. The convicts in the penitentiary institution are not health insured.

The medical examinations are scheduled by the convicts in the Security Service where a list of registered persons is made. According to the statements of the convicts, there are no difficulties with scheduling the examinations, and the doctor manages to perform the examinations of all persons who have requested medical assistance. If the doctor considers that a specialist examination should be made, the persons with a registered

From the performed inspection in the medical documentation, it was concluded that the systematic examination carried out upon the receipt and during the discharge of persons is not performed on the day when the receipt or the check is made, but on the day when the doctor visits the Prison.

NPM also inspected the diary for the examinations carried out by the doctor during the solitary confinement of the convicted persons, and concluded that such examinations were carried out only on the days when the medical personnel visit the prison, and not daily as is envisaged in the House Rules.

NPM has established that methadone therapy is stored in a medical lock which is locked and located in the room where the security service is located. Given that medical staff is not constantly present, the Security Service shares methadone therapy.

The doctor said that he did not keep a separate diary on the number of people who are on methadone therapy and those who have infectious transmitted diseases, these data are contained only in the health records of convicted patients.

referral are referred to the hospital in Strumica accompanied by the security service. In exceptional cases and according to the doctor's assessment, the convicts are referred to other medical centers where there are doctors sub-specialists, but this is not common practice. Namely, given that there are not enough vehicles in the Prison, such examinations are carried out by convicts during their regular absences

According to the allegations of the convicted persons, chronically ill persons with diseases of the heart, liver, gastrointestinal tract, etc. are not controlled regularly, that is within a period of six months. Taking into account that the number of chronically ill in the prison is relatively small, NPM estimates that it is necessary that these examinations to be carried out in the foreseen term despite the limited financial means.

The Prison does not have a special de-



partment for elderly people, but elderly people and people with special needs are accommodated in the ground floor rooms. During the visit, NPM encountered an invalid convicted person (a person who was walking with crutches) that was located in one of the ground floor rooms.

Convicted drug addicts receive methadone therapy, which is provided by the medical service once a week from the Center for Addiction at the General Hospital in Strumica.

The NPM has established that methadone therapy is stored in a medical lock which is locked and located in the room where the security service is located. Given that medical staff is not constantly present, the Security Service shares methadone therapy.

Convicted drug addicts receive methadone therapy, which is provided by the medical service once a week from the Center for Addiction at the General Hospital in Strumica.

Such actions are contrary to Art. 8 on the Instructions for access to a doctor in the institution, distribution of medicines, medical examination outside the institution "where it is laid down that:" the medicines in the institution are kept in the prison pharmacy or in a specially equipped room for that purpose, and access to the medicinal products only the medical staff in the Institution. "

The convicted persons pointed out that rarely an education was carried out for addiction diseases, sexually transmitted diseases and infectious diseases.

During the inspection in this documentation, the NPM encountered one case from the last year when, at the request of the doctor, the pronounced measure of staying in solitary confinement was stopped due to a deteriorated state of health.

3.2.3. Relation of officials to convicted persons

The majority of convicted persons considered the attitude of the officials to be good and correct, but some of the convicted persons noted that the members of the prison police behave rudely and offensive, even using physical force, hitting them with "Slaps or stalls" on various parts of the body. Some of the convicts pointed out that, most often, the police officers use physical force against the convicts that are serving a disciplinary sentence of solitary confinement.

Namely, during the period of solitary confinement, some of the convicted persons, due to their various, sometimes banal reasons (for example, the long-standing ringing of the bell to call or the knocking on the doors of the solitary ones, because the officials may not have heard the ringing) are hit by police officers, supposedly to settle down. This is usually applied by isolating the person in one of the dungeons, out of the reach of other convicts that also are sentenced to solitary confinement, at that moment.

NPM Team expressed serious concern regarding the above quotes, particularly due to the fact that information was obtained by the officers that the cameras from the installed video surveillance within the Institution are not in function, particularly in the solitary confinement area.

In this sense, the NPM team stressed that any form of torture, inhuman or degrading



treatment and punishment is prohibited and that officials in the relationship with convicts should fully respect their integrity and human personality and protect their psycho-physical and moral integrity, while demanding from the Prison Administration to take all necessary measures to investigate all allegations and information about possible improper behavior of the officials. The Prison Administration should also take the specific measures and actions regarding which will encourage all convicts to report the acts and cases of inappropriate treatment against them by the officers.

3.2.4. Complaint system

The NPM team notes that there are special boxes in the Prison wherein the convicts can turn to a complaint or claim to the Director or the Ombudsman's Office, and it was also established that the House Rules with the rights of the convicted persons are highlighted in several prominent places in the Prison.

However, the convicts during the conversations stated that they are not decided to file complaints on some inappropriate behavior of the officials against them, primarily because of the fear that they could subsequently suffer adverse consequences that were manifested on their treatment (eg failure to provide benefits), and because they have no faith that the reporting of such cases could really result with improvement of the above matter.

3.2.5. Nutrition of the convicts

During the conversations, the convicts pointed out that the food they shared was uniform and did not meet their needs. In this sense, part of the people pointed out that they also procure food at their own expense, and often they are supplied with food by their relatives during the visits.

NPM also concludes that no special food is prepared for people with chronic diseases, especially those with diabetes and hepatitis.

3.2.6. Right to education

The NPM team concluded that no formal educational process was conducted for convicts in the Prison despite the fact that there are convicted persons who have not yet completed any degree of education. In this sense, the officials pointed out that large number of persons who were interested in involvement in this matter were not able to provide certificates from the completed education, so that for a long period of time the convicts do not have an organized form to continue their education.



3.2.7. Contacting the convicts with the outside world

According to the "House Rules for convicted persons serving prison sentences in penitentiary institutions", the convicts classified in the open and semi-open division are entitled to two visits in the month, without the presence of an official person.

During the interviews conducted by the NPM team, none of the convicts complained about the right to visits or contacts with the family.

3.2.8. Talk with officials

During the visit, the NPM team conducted interviews with officers - employees of the Prison.

During the talks, the officers expressed dissatisfaction with the working conditions, the amount of income, and the lack of uniforms and other basic equipment for work.

In this regard, the United Nations Standard Minimum Rules for the Treatment of Convicted Persons (*Nelson Mandela Rules*) stipulate that: "*Salaries should be appropriate to attract and retain suitable men and women. Work benefits and working conditions should be favorable, given the nature of the work.*"

According to the NPM team, the low salaries of prison staff and poor working conditions are unacceptable and are directly in violation of the United Nations Standard Minimum Rules for the Treatment of Convicted Persons.

The officers also complained about the small number of employees in terms of the number of convicted prisoners. In addition, from the insight into the lists of employed persons in the Prison, it was concluded that in the Strumica Prison there is a shortage of female staff, especially in the Security Sector.

This directly affects on non-implementation of the stipulated search on women who come to visit the convicts, which on the other hand compromises the security of the institution.

3.2.9. Insight into records of persons deprived of freedom

The NPM team during the visit concluded that the Prison possesses a "Guidelines for keeping records" listing all the books and records individually, and after the inspection of several registers and records for the convicted persons, the general conclusion is that they are kept properly.

Namely, from the insight into the records on disciplinary penalties it was concluded that it contains data on when the proposal is given for initiating a disciplinary procedure,



the name and surname of the convicted person, the reasons for the initiation of the procedure, who submitted by the proposal and the function of the official person, as well as information on what kind of disciplinary punishment is imposed, the start of the execution and the expiry of the same. In this regard, the NPM team found that a total of 46 disciplinary sanctions were imposed in 2016, while in the year of 2017, a total of 78 cases were recorded, of which in 55 cases a disciplinary sanction was pronounced.

Part of the reasons for the pronounced disciplinary sanctions are: escape, abuse of given conveniences, repetition of minor injuries, disturbance of peace, introduction or enjoyment of narcotics and the like.

The small number of registered cases of use of means of coercion, in correlation with the statements of the convicted persons for the use of means of coercion (especially the physical force), point to the conclusion that officials do not record all cases of use of means of coercion.

The NPM team also inspected the records kept in the conduct of disciplinary proceedings, and it was concluded that after the submission of the proposal for initiation of a disciplinary procedure, the convicts are respected the right to be heard in relation to the event in front of the disciplinary commission, for which a report signed by the convicted person is prepared accordingly.

In the proceedings, other witnesses (convicts or persons from the Prison staff) are also being heard who can provide information, and at the end the director of the prison makes a Decision indicating therein the advice of the right of the convicted person appeal to the Director of the Directorate for Execution of Sanctions within the Ministry of Justice, within 3 days from the receipt of the Decision. From the insight into the records and conversations with the officials, it was concluded that no convicted person has so far lodged an appeal against the decisions that have imposed a disciplinary punishment.

From the insight into the records on the use of means of coercion, the team of the NPM concluded that it is kept in the same register (book) for many years, because, as explained, the small number of cases of using means of coercion. In this sense, in 2012 and 2013 only one case of use of means of coercion was recorded, while in 2014 no such case was registered. In 2015, there were 2 cases registered, in 2016 only 1 case and 2017, until the day of the visit, also 1 case was recorded. The records contain data on the date of use of the means of coercion, the name, the surname and the function of the official person who applied it, the name, surname and identification number in the prison of the convict, the type, the manner and reason for the use of the coercion, the prepared submissions on the use of force and response thereon. On each page there is a signature of the responsible person and seal of the Prison, and the conclusion of each year is done by confirming it by stamp and signature.

From the made insight into the registry, the NPM team found that in no case of using coercive means, there aren't any records kept on the written acts on the grounds of the made decision on the justification of the means of coercion by the immediate elder, although such acts exist in the individual files.

The use of means of coercion is also reported to the Directorate for Execution of Sanctions, which should give a final assessment of the justification of the use of means of coercion, but despite this obligation of the Office, the officers informed the NPM team that they have not received any written act, fully justifying the legitimacy of the used means. Upon the made insights on the files, the NPM team also established that for the use of means of coercion a report is prepared on the use of means of forcible with explanation is prepared accordingly. After the use of means of coercion, the convicted person is also sent to a medical examination, for which a report is attached accompanying the other documents sent to the Directorate for Execution of Sanctions.

In this sense, NPM recommends that officials shall keep records on all cases of coercion, especially when using physical force regardless of the intensity.

All cases to be recorded of "arms and legs and other skills of defense and attack when the person gives passive resistance for the purpose of his coercion leading to such a position from which he will no more resist the lawful order of the official."

Review no.31

Review of the given recommendations and recived answer to Strumica Prison	
Recommendations	Response to recommendation
To enable free realization of the right to walk to all persons accommodated in the solitary confinement, in consistency with the House Rules.	Walks are enabled to the convicts according to the House Rules.
Methadone therapy should be kept in the prison pharmacy, or in a specially equipped room for that purpose, and the access and sharing thereof should be exclusively made by the healthcare personnel of the Institution.	Methadone therapy is kept in the prison pharmacy, but there is no employed medical staff in the Strumica Prison, therefore according to Article 124 of the Law on Execution of Sanctions, the health care is applied by the healthcare workers employed in public health institutions that perform primary health care in the network of healthcare institutions in whose territory the seat of the institution is located, who apply health protection for the convicted and detained persons, also due to the fact the methadone center from where methadone is supplied does not work on Saturday, Sunday or public holidays, the methadone therapy stored in the methadone center is taken over by the prison police, which during weekends and holidays is given to the convicted persons by prior consent by the medical personnel.



Review of the given recommendations and received answer to Strumica Prison	
Recommendations	Response to recommendation
<p>One person should be placed In the solitary confinement, thus avoiding the risk of possible violence between the convicted persons.</p>	<p>The recommendation has been accepted and and only one person is accordingly accommodated in the solitary confinements.</p>
<p>Persons who are serving a disciplinary punishment - referral in solitary confinement, should be examined daily by medical personnel.</p>	<p>Request has been sent to the Helth Institution JZU Strumica which requires sending medical personnel at least two times a week.</p>
<p>Upon receipt of convicts in the Institution, a medical (systematic) examination shall be carried out within 24 hours, or in exceptional situations on the first working day after receipt.</p>	<p>The Strumica Prison acts in consistency with the given recommendation.</p>
<p>Adaptation and appropriate adjustment of a separate room for conducting a search of persons therewith guaranteeing the right to privacy of the persons undergoing the search and that they not be exposed to direct views from third parties.</p>	<p>In the Strumica Prison, a separate room has been adapted and the right of privacy for the persons undergoing the search is guaranteed.</p>



Review no.32

Review of the given recommendations and received answer to the Directorate for execution of sanctions	
Recommendations	Response to recommendation
<p>Making efforts for providing budget for employment of the needed personnel according to the Act on systematization of the work positions, particularly in the Resocialization Sector (establishing multiprofessional team) and the prison police.</p>	<p>The Directorate for Execution of Sanctions has already requested and received consent for 3 new employments, and the remaining employments in accordance with the Systematization Act, especially in the Resocialization Sector (establishment of a multiprofessional team) and the prison police will be performed in accordance with the Employment Plan of the Strumica Prison and the consents received for these employments from the Ministry of Finance of the Republic of Macedonia.</p>
<p>Female officers to be engaged within the Prison Police Service in shortest possible term</p>	<p>In relation to the received consent for employment, including employment in the prison police, the recommendation of the Directorate will be that the newly employed should be female.</p>
<p>The number of convicted persons to correspond to the capacity of the Institution, and the number of persons accommodated in a room not to exceed the legally prescribed maximum of 5 persons per room</p>	<p>The entry into force of the Amnesty Law has contributed to reducing the number of convicted persons, which means that in each premise there will be a maximum of 5 convicted persons, as required by the Law on Execution of Sanctions.</p>
<p>In the Strumica Prison, funds should be provided for the adaptation of special rooms for newly-received persons (admission unit) in order to provide an appropriate process of adapting the convict. It is urgent to undertake measures and activities for reconstruction and rehabilitation of the isolation / solitary premises that will meet the minimum international standards for detention of persons.</p>	<p>The Directorate for Execution of Sanctions considers the possibility and there is already a preliminary project; all the part of the so-called. isolation/solitary configurations to be re-adapt and to build solitary confinement, admission unit and confined unit.</p>



Review of the given recommendations and received answer to the Directorate for execution of sanctions	
Recommendations	Response to recommendation
<p>Providing daily and continuous presence of medical personnel in the penitentiary institution - Prison Strumica.</p> <p>Increase of the funds for procurement of the most frequently used pill therapy and full respect of the procedures related to the storage and distribution of medical therapy to the convicts.</p> <p>The dosage of the prescribed methadone therapy to be entered in the Medical records, and special diary should be kept on the number of persons under methadone therapy, as well as persons suffering infectious transferable diseases.</p>	<p>The Directorate for Execution of Sanctions and the Ministry of Health for taking over the health sectors in penitentiary and educational correctional institutions together with the employees (where there are them) by the Ministry of Health, that is, the Health Centers of appropriate cities, where there is a penitentiary- correctional institutions whereby the Health Centers shall themselves provide expert teams (doctors, medical personnel, laboratory technicians, etc.) along with the overall documentation for convicted persons.</p>



3.3

SUCCESSIVE VISIT TO PRISON KUMANOVO



The follow-up visit to the Kumanovo Prison was conducted by the NPM team on May 23, 2017, in cooperation with external associates from the Association of Psychiatrists and the Chamber of Psychologists of the Republic of Macedonia.

This main target of the visit is monitoring and assessing the level of implementation of the recommendations from the Special Report of the NPM on 19.12.2014, as well as determining the actual factual situation in order to identify possible risks of torture or other cruel, inhuman or degrading treatment, or punishment.

After the visit, the NPM team concluded that the Directorate for Execution of Sanctions has implemented the recommendations, in contrast to the Prison Administration, that implemented only 1 out of the 6 recommendations.



3.3.1. Acting by given recommendations

Review no.33

Review of given recommendations to the Prison Administration			
Recommendation	Response to recommendations	Current condition	Estimation
The Prison Administration shall take measures to put in place call systems (alarms) in the detention facilities.	The alarms in the detention unit have been repaired on several occasions, but certain detainees, acting unreasonably and unconsciously, continuously brake them. The Prison Administration undertook activities for the elimination of the defects, and the company that made the initial installing upon the construction of the prison, so the alarms has been already put into operation.	During the visit, the call system (alarms) in any of the premises was not functional, so that detainees are forced to knock on the doors to alert when they need to establish communication with the securing sector. The detainees confirmed that the system was in function several months ago, but for a certain period it is not in operation.	Recommendation has not been implemented.



**Review
of given recommendations to the Prison Administration**

Recommendation	Response to recommendations	Current condition	Estimation
<p>The Directorate will undertake activities that will protect the area for walks to the detention unit of external disasters, which will allow the detained persons to use it in bad weather conditions.</p>	<p>Regarding the given recommendation for protection of the space intended for walks to the detention unit, it is possible to implement this recommendation only in cooperation with the Directorate for Execution of Sanctions, because it is necessary to prepare a project, a building permit, as well as appropriate financial means.</p>	<p>The space intended walks is still unprotected, therefore in situations where there are unfavorable weather conditions the detained persons are disabled and difficult to use the right to a walk.</p>	<p>The recommendation has not been implemented.</p>



Review of given recommendations to the Prison Administration			
Recommendation	Response to recommendations	Current condition	Estimation
The prison should provide uninterrupted use of drinking water, as well as for achieving the physiological and hygienic needs and sufficient heating of the premises, in accordance with the established international standards.	With the help of the Directorate for Execution of Sanctions, two new wells have been excavated of great depth, thus providing the necessary water capacity for the normal operation of the institution. Regarding the warming, the Prison Administration pays special attention to this issue and during the heating season the premises are sufficiently warmed because of which there have not been any remarks by the convicts and detainees.	The lack of water problem in Kumanovo Prison is not solved for normal functioning of the institution. For this reason, the massive use of plastic bottles filled with water was noticeable in the prison premises. Regarding the warming of the premises, given the fact that the visit was conducted in May, when it is hot and not a heating season, NPM only informed itself from the statements of the convicted and detained persons who pointed out that the institution continues to have a problem with the warming in the winter part which means that the recommendation given by NPM has not been applied in the part of the heating of the premises.	The recommendation has not been implemented.



**Review
of given recommendations to the Prison Administration**

Recommendation	Response to recommendations	Current condition	Estimation
<p>Taking measures that will limit the interference of the categories of convicts, as well as the realization of the treatment that they have acquired.</p>	<p>Best efforts shall be made for implementation and realization of your recommendation regarding the mixing of the categories of convicted persons, as well as the achievement of the treatment they have acquired. However, what is problematic is the prison building itself that is built in a manner that greatly complicates the resolution of the problem of mixing the categories of convicted persons.</p>	<p>The problem with mixing the categories of convicts that are not appropriately classified and distributed in the premises, considering the gravity of the committed criminal offense, the determined criminal sanction, as well as the other data that are appreciated in the classification of the convicts, remains unresolved. Officials informed the NPM team that the most common reason why the convicts are mixed is due to the fact that some of them know each other from outside, and have certain personal animosities and misunderstandings, therefore it is desirable to accommodate them in different rooms.</p>	<p>The recommendation has not been implemented.</p>



Review of given recommendations to the Prison Administration			
Recommendation	Response to recommendations	Current condition	Estimation
<p>The Sector for Resocialization should establish a relationship with the convicted persons, treating them with respect, as well as to motivate and support persons deprived of freedom in sense of improving the personality and reducing the possibility of returnees.</p>	<p>Kumanovo Prison Administration discussed with the employees in the Sector for Resocialization, presenting the given recommendations from the Ombudsman, their opinions were heard, and they were instructed to pay even greater attention to the implementation of the process of resocialization, which will reduce the possibility of retribution to convicted persons.</p>	<p>With regards to the implementation of the process of resocialization, due to the small number of educators and the lack of employees in this Sector, the process is carried out only in the way that educators conduct individual conversations, most often on the request and insisting of convicts. Due to the large number of convicted persons and the inability to pay attention to each person in particular, practically no individual and collective treatments is carried out.</p>	<p>The recommendation has not been implemented.</p>



**Review
of given recommendations to the Prison Administration**

Recommendation	Response to recommendations	Current condition	Estimation
To keep separate food control book in the kitchen, and the weekly list of foods will be enriched with a variety of foods, which will affect the quality of the diet that the detainees and convicts receive	Immediately after the remark made by the National Preventive Mechanism, a food control book was opened, and with a specially adopted Decision, a Food Control Commission was set up, which has the task of daily control of the quality of food, to record it in the book and to prepares a monthly report, which in written form, submits to the Director of the institution at the beginning of each month. A procedure for procurement of food products has been initiated, and in accordance with the prepared technical specification, a greater number of products will be purchased in relation to the previous one, thus providing a more diverse and even more quality food for the detained and convicted persons.	People are generally satisfied with the quality and quantity of food that is served in the Kumanovo Prison and pointed out that the monthly list of meals (menu), signed by the Director of the institution, the doctor and the main chef, is kept. The NPM concluded that the kitchen is clean and well arranged, well equipped with new appliances, and in the warehouses there is enough food and vegetables. Keep food packed and keep an eye on the shelf life. The kitchen is home to a master chef, who is assisted by 12 convicts who are engaged in the kitchen and all have clean sanitary book.	The recommendation has been implemented.



Review no.34

Review of the given recommendations to the Administration for Execution of Sanctions			
Recommendations	Response to recommendation	Factual state	Estimation
When transferring convicted persons from one penitentiary the by-laws is to be applied that require the progression of a convicted person sent to a institution from a closed type to be performed in the same department in a half-open facility.	When transferring convicted persons from one penitentiary institution to another, it should be in consistency with Article 4 on the Rulebook on the time to be spent and the conditions to be met by the convicted person in the institution of a certain kind or in the appropriate department of the institution of a general type according to which the progression of a convicted person sent by an institution of a closed type is carried out in the same department in a semi-open facility, so far no convicted persons have progressed from any other penitentiary institution in the Kumanovo Prison. The convicts are transferred from one penitentiary-correctional institution to the specific case in the Kumanovo Prison in accordance with Article 157 of the Law on Execution of Sanctions, which is most often done due to the overcapacity of the other penitentiary institutions.	NPM established that the persons transferred from one penitentiary-correctional institution in this case to the Kumanovo Prison, are progressing in the same grade in which they were in the institution of a closed type.	The recommendation has been implemented.



Review of the given recommendations to the Administration for Execution of Sanctions			
Recommendations	Response to recommendation	Factual state	Estimation
<p>The Administration for Execution of Sanctions should equip the workshops in Kumanovo Prison, which will enable efficient implementation of the process of resocialization.</p>	<p>Within the frames of the Project for Reconstruction of the Penitentiary in Republic of Macedonia, a special consultant has been hired, whose task, among other things, is to undertake activities for the operationalization of the work engagement, training, education and social activities of the convicts within the four penitentiary institutions covered by the Project. Regarding the equipping of workshops in Kumanovo Prison, the consultant, in accordance with the available space for workshops, and the needs and structure of convicts within the institution, will make an assessment of the type and quantity of equipment that is most appropriately procured, which will be followed by procurement, funds have been provided within the Project for Reconstruction of the Penitentiary and Educational Penitentiary Institutions in the Republic of Macedonia.</p>	<p>In relation to the workshops in Kumanovo Prison and their equipping in order to effectively implement the process of resocialization, the NPM team was informed that in this penitentiary institution a project for training of convicted persons in the field of bakery production and locksmith-craft activity was realized, which was carried out in cooperation with USAID, the Ministry of Education and the Ministry of Justice - Administration for Execution of Sanctions. The project itself was implemented in 2 phases and involved about 50 convicts who were trained in the mentioned activities from the teaching staff employed in the secondary vocational schools in Kumanovo. After the completion of the trainings, the convicts took a test before an appropriate committee, after which all the participants in the training gained an internationally recognized certificate that could serve them in easier finding work after serving the sentence of imprisonment.</p>	<p>The recommendation has been implemented.</p>



3.3.2. Latest established conditions

The National Preventive Mechanism during the subsequent visit to the Kumanovo Prison, in addition to paying special attention to the assessment of the implementation and application of the given recommendations from the report resulting from the regular visit, also inspected in new situations through which possible risks could be identified for preventing torture or other cruel, inhuman or degrading treatment or punishment.

Kumanovo Prison has a capacity for 200 convicted persons and for 50 persons in the detention unit, and during the period of the subsequent visit, 142 prisoners were registered in the Prison, 14 persons detained in the detention unit, and 9 persons who until the day of the visit by the NPM team were escapees.

In this regard, the NPM team, during the inspection of the material conditions in the premises where the detainees and convicts are accommodated, found that the toilets do not have a door, which is why people complained that they do not have sufficient privacy when using them and that they are forced to hang blankets.

During the inspection in the solitary confinement, the NPM team concluded that two of them were non-functional due to a defect in the water network what is seriously disturbing is the fact that in none of the solitary parties the call system (alarms) was functioning, so in cases of urgency, the persons accommodated in these premises could not immediately contact the officials.

The box for Ombudsman complaints is set next to the security room, which is why the persons who intend to submit a complaint are exposed to direct supervision by the prison police. Bearing in mind that this could deter the persons from submitting the complaints, the NPM team recommended that the box be moved to the appropriate place, which would guarantee the anonymous submission of the persons when submitting the complaints

The NPM team assessed positively the opening of a library in the Prison, which counted over than 2000 titles during the visit, with a tendency to increase this figure. Officials, like the convicted persons, said that the convicts take reverse books on daily basis, read them in their free time, and then return them to the library again.

NPM also positively noted the engagement of the convicts in various work activities. Namely, from the performed inspection in the list of employed persons convicted, it was concluded that 8 people are engaged in work outside the Kumanovo Prison, and their work is regulated with contracts in the companies they work in, while the convicts who are engaged in the work within the institution are as follows 2 persons in the administration, 5 people are in charge of the playground, 2 people are employed in the laundry, 5 people in the boiler room, 7 people are engaged in agricultural activities, 2 couriers on the main door, 1 convicted person working in the canteen of the Prison, 12 people employed in the kitchen and dining room, 5 persons for maintaining hygiene in the official premises, 4 persons for maintaining the green areas, 2 persons employed as mowers, 1 person employed as a hay collector, 1 person employed in the library, 4 persons in charge of the vehicle fleet and 35 employees employed as wardens in different parts of Kumanovo Prison. A total of 10 convicted persons are not engaged in any work because of health problems and inability to be engaged in work activities.



Such statistics indicate that almost every person who is capable of work and who expressed the willingness to be engaged in work has the opportunity to work in Kumanovo Prison which is a good practice in the course of efficient and useful fulfillment of the time of convicts during the execution of their imprisonment.

Regarding the newly established situation, the NPM team made appropriate recommendations to the Institution, and regarding the recommendations given from the previous visit which were not implemented, NPM noted that their implementation is still anticipated and that it is necessary to undertake emergency measures for their implementation.

Review no.35

Review of given recommendation to the Administration of the Prison Kumanovo	
Recommendation	Response to recommendation
The toilets in the premises of convicted and detained persons should be adapted in way that the right to privacy is fully respected.	During the construction of the prison, the premises in which the convicted and detained persons are accommodated are provided with open-air toilet, that is, without doors, and it is made for security reasons. In practice, the convicted and detained persons usually provide the necessary privacy by making improvised doors of blankets, rugs and the like, which something the prison administration permits, due to the sensitivity of the issue.
The box of the Ombudsman's office on complaints and claims to be moved to a place that will ensure anonymity when submitting complaints by convicted persons.	The box is relocated and placed near the stairs leading from the ground floor to the first floor of the detainee's prison building.
The system for calling and undertaking activities to be repaired in all solitary confinements and actions to be taken for immediate putting into operation of non-functional solitary confinement.	The call system (alarm) is put into operation, and in the shortest possible time, remediation of the non-functional solitary confinements will be performed.





GENERAL RECOMMENDATIONS FOR THE VISITED IN PENITENTIARY INSTITUTIONS IN 2017

1. **Increasing** the number of employees in the Institutions, especially female employees in the safety sectors, as well as establish multi-professional teams in the re-socialization sectors;
2. The number of detained and convicted persons should correspond to the capacity of the institutions in which they are accommodated, and the number of accommodated persons in one room should not exceed the legally prescribed maximum of 5 persons in one room;
3. Take urgent measures to improve the material conditions in the premises where the detainees and convicts are accommodated, taking into account the full compliance with the standards relating to the square surface, heat and light;
4. **Providing** funds for the immediate installation of a functional call system in all premises where detainees and convicts are accommodated in penitentiary-correctional institutions to facilitate contact with officials;
5. The search of detainees and convicts should be carried out in a manner and in accordance with the stipulated rules and that no premises should be used where these persons would be exposed to views of third parties;
6. During the communication with the detainees and convicts, the officials should respect their dignity and their personality, and the offensive and defamatory conduct by the officials to be appropriately sanctioned;
7. Fully implementing the legal provisions regulating the health care and health insurance of the detainees and convicts in the penitentiary-correctional institutions;
8. Observing the medical examination provisions upon admission of each convict/detainee within the first 24 hours of admission and this should also refer to for the weekends;
9. The distribution of medicines in the penitentiary-correctional institutions should be performed exclusively by medical personnel;
10. Taking measures for immediate improvement of the quantity and quality of food distributed to detainees and convicted persons and the food to be prepared and served in accordance with predetermined list of meals prepared and approved by experts;
11. Full respecting the right to walks of detainees and convicts;
12. Ensuring that the detainees and convicted persons can spend a reasonable amount of time in the day outside the premises, engaged in content activities of a different nature;
13. Medical personnel in the penitentiary institutions should receive training on the manner of registering traumatic injuries and the manner of reporting them.

4

VISITS TO OTHER PLACES WITH A LIMITED FREEDOM OF MOVEMENT

During 2017, the National Preventive Mechanism, apart from the usual locations for detaining persons with restricted freedom of movement, conveyed 2 preventive visits to other places with limited freedom of movement.

Namely, a regular preventive visit was conducted in the PHI Psychiatric Hospital Negorci-Gevgelija as well as a regular preventive visit to the JUU Home for the Elderly "Sue Ryder" Bitola, facility which is not legally concerned a place for deprivation of liberty, but where the freedom of movement for the users of that facility is limited.

The visits were made unannounced, based on a previously anticipated plan according to the Annual Operational Plan of the National Preventive Mechanism for 2017.

Special reports were prepared on the established condition, stating the specific recommendations which were then submitted to the directors of the institutions and to the relevant authorities and ministries.



4.1

PSYCHIATRIC HOSPITAL NEGORCI



According to the annual working program for 2017, the Ombudsman - National Preventive Mechanism conducted an unannounced visit to the PHI Psychiatric Hospital Negorci-Gevgelija on 21 and 22 December 2017.

During the preventive visit, an inspection of the material conditions in the psychiatric hospital was made, discussions were made with the officials and a part of the patients, and it was inspected how the persons exercise their rights guaranteed by the Law on Mental Health, the Law on the Protection of the Rights of the Patients and the by-laws.

4.1.1. Organizational structure and structure of employees

PHI Psychiatric Hospital Negorci has a capacity of 230 hospital beds that are distributed in departments, and at the time of the visit there were 230 patients, that is, the capacity of the hospital was completely fulfilled.

The PHI Psychiatric Hospital Negorci has 5 departments, 3 divisions and a department for common services. The departments are divided as follows: Department for treatment of acute conditions in psychiatry, Department for treatment of persons with psychiatric safety measure imposed, Department for treatment of chronic psychiatric conditions, Department for treatment of psychogeriatric conditions in psychiatry and Department for treatment of alcoholism and other addictions and other non-psychotic disorders.

The NPM determined shortage of medical personnel, especially in the afternoon when it occurs that 1 doctor and 1 nurse are responsible for 5 departments.



Also, this institution encompasses: Division for specialist - consultative activity, Division for laboratory and diagnostic activity and supply with medications and Division for sports recreational and working occupational therapy.

The total number of employees in the Institution is 91, of which 27 are men and 64 are women. Five employees are psychiatrists, 32 nurses/technicians, 25 paramedics, 2 psychologists and 2 social workers. In addition, 1 paramedic and 1 nurse are employed with a temporary service contract.

4.1.2. Material conditions

The psychiatric hospital is composed of several buildings, and in the area of the institution there are sports-recreational playgrounds (basketball and football terrains), as well as a main courtyard used as a promenade for patients.

During the preventive visit, the NPM concluded that some of the departments were renovated, some are in the process of reconstruction, and some are planned to be renovated in the future.

Namely, in the part of the building where the Department for treatment of chronic conditions is located at the moment of the visit, construction activities were carried out for renovation of the space intended for accommodation.

According to the information received from the managers of the institution, it is planned to renovate the buildings in which the Department for treatment of acute conditions and the Department for the treatment of psychogeriatric (gerontopsychiatric) conditions are located, which were in a very bad condition at the moment of the visit.

Department for treatment of persons with a pronounced measure of psychiatric safety

The Department for treatment of persons with psychiatric safety measure imposed is located in a separate building on two floors, which also has a separate confined space intended for walks of the patients placed in this department. On the day of the visit, there were a total of 34 people, all male patients.

The department consists of 9 rooms, 3 toilets with baths in the ground floor, and on the upper floor there are 4 rooms and 1 toilet with a bath. The department also has a living room, equipped with tables and chairs and several TV sets.

During the inspection in the premises of the patients, the NPM team concluded that there was no overcrowding and that they were equipped with two to three individual beds. All beds in the rooms are metal, equipped with comfortable mattresses, clean and orderly bedding. Patients noted that bed linen is changed regularly once a week or as needed.

In the patients' rooms, there are cabinets besides the beds, and there are also metal lockers in which personal things can be stored. Damages or traces of moisture were not



noticed on the walls and they were appropriately painted. In all rooms there are large windows that allow ventilation of the space, sufficient daylight and there is adequate artificial lighting. Hygiene in all rooms was at an appropriate level.

The NPM concluded that all rooms have functional heaters, and during the visit it was concluded that the room temperature is within the acceptable limits. The relative humidity in the rooms is also within the acceptable standards, since in some rooms air humidity rate of 35 RH was determined.

Patients in this Department have permanent access to toilets, which on the day of the visit were clean, neat and equipped with personal hygiene products (soap, toilet, etc.). The toilets in the bathrooms are separated by a door that provides privacy when using them.

Patients may not freely leave the facility where they are accommodated, and use only the enclosed space (small promenade) for walks, which for some of them represents unnecessary restriction on the freedom of movement.

The inability to access hospital staff at night is a serious problem for these people, not only because of the small number of employees who are not always present in the building, but because after the doors are locked at night, some of the patients have no access to the nurse's room, the nurse or the doctor, nor there is a special system to call/alert the emergency personnel.

Also, these persons are not able to use the mechanism for complaints, since there are no boxes for complaints in the department, and the box for complaints located in the administrative building is not accessible to them, considering that their movement is limited.

The patients who are imposed compulsory treatment in the psychiatric hospital by decision of the **civil courts** are accommodated in a separate building in the center of the institution. This building has two floors and has 8 rooms for accommodating patients, and one living room. The accommodation capacity is for a total of 23 patients, and on the day of the visit there were a total of 18 people, all male patients.

The building was put into operation in April 2017 and is in good condition and well maintained. Hygiene in rooms, sanitary facilities and baths was at an appropriate level. The measured temperature and the humidity level of the air in the premises was within the acceptable standards.

Department for treatment of acute conditions in the psychiatry

The Department for the treatment of acute conditions in psychiatry is divided into a male and female ward and is placed in a separate facility. During this visit, a total of 32 people were accommodated, of which 16 male and 16 female.

The accommodation capacity in the male ward consists of 5 rooms for patients with a total of 19 beds, 1 room for fixation, 1 living room, 3 toilets, 1 bathroom, storage and one room for nurses and paramedics.

When inspecting the patients' premises, the NPM team concluded that some of them were humid, not ventilated, and the hygiene was not at a satisfactory level. From the



performed survey it was concluded that in terms of the accommodation, the minimum standards for square surface are taken into consideration. The rooms are equipped with metal beds and metal cupboards for the patients' personal belongings and have heaters and windows that provide sufficient daylight and ventilation.

The NPM team concluded that there were no door handles on the doors in the premises, they were either removed or damaged and the doors were damaged (most likely from blows). This is due to the fact that all patients are placed in the acute department prior to their distribution to the other departments, and it often happens that patients have aggressive behavior that is manifested by damaging the inventory. In this department, the cases of self-harm are in fact most frequent, for which the officials informed us that in such cases the persons are usually subjected to intensified monitoring.

Given this situation, the NPM team recommended that the objects that are easily breakable and which could be used by patients to injure themselves or someone else should be removed from the premises in this Department. Also, it is necessary to replace the mirrors in the toilets that were broken on several occasions, with mirrors of unbreakable material.

Also, the NPM recommended interventions in the living room where freely overhanging electrical cables were found.

In the area where the female patients are accommodated, there are 5 rooms for patients with a total of 17 beds, 1 fixation room, 1 living room, 4 toilets, 1 bathroom, warehouse space and one room for nurses and paramedics. The rooms for accommodating patients are equipped with metal cabinets besides beds, cupboards and heaters. The temperature and humidity of the air were within the optimum limits.

Department for treatment of chronic psychiatric conditions

The department for treatment of chronic patients is located in a special building where construction activities were performed on the day of the visit in order to renovate the space. In the other part of the building a total of 27 people were accommodated. On the day of the visit, due to ongoing construction work, 4 of the patients slept in beds placed in the room used as a dining room.

During the inspection of the building, the team of the NPM concluded that this was an old building where on the inner side, in the corridors and in the accommodation rooms there was visible damage to the walls and the roof construction.

The patient rooms are equipped with metal beds and cabinets, while the lockers were placed in the corridors in front of the rooms. the humidity of the air in the rooms was 20.4 RH%, while the measured temperature was 21.6°C. The flow of daylight was at a satisfactory level, and there is also artificial lighting in the rooms. The toilets and the baths in this department have a high level of humidity and mold on the walls.

The patients spend most of their time in the dining room, watching television or listening to the radio. The house order of the institution was also prominently displayed in the dining room.



Department for the treatment of psycho-geriatric (gerontopsychiatric) conditions in psychiatry

The Department for treatment of psycho-geriatric (gerontopsychiatric) conditions is located in a separate facility within the institution's area. The NPM team concluded that it is an older facility, which, in terms of the current situation, needs to be immediately renovated.

At the entrance of the building there is an access ramp for the persons with physical disability, while the inside of the Department is divided into male and female wards. Every ward has 5 rooms where patients are accommodated, with the number of beds in the premises ranging from 3 to 5. During the visit, due to the construction activities in the male section 3 persons were placed in the dining room. In each of the departments there is a living room with a TV, kitchen and toilet with a bath, and in addition to these premises, the facility also has two rooms for the nurses for each of the wards.

From the inspection of the premises, the NPM concluded that hygiene is at a much lower level than the other departments. The air in the rooms was stifling, and the presence of cockroaches was noticeable.

Given the fact that there are temporarily accommodated patients from the chronic department that is being renovated in this department, in some of the rooms there are more people than the capacity of the room, so in a room of 18,86m² (length 4,6m² and width 4,1m²) there were 5 patients. The rooms of the patients, besides beds, are also equipped with cupboards, and in some of them there were lockers. The NPM team concluded that none of the doors in the male section had door handles, and in the toilet, that is, the bathroom there were no doors at all.

Department for the treatment of alcoholism and other addictions and other non-psychotic disorders

The Department for treatment of alcoholism and other addictions is located in a separate building on two floors. It is foreseen that the department is divided in male and female wards, but due to the small number of female patients, currently only the male ward operates in the building. On the day of the visit all female patients were placed in one place, in a separate building.

A total of 42 people were accommodated in this department. On each of the floors there are separate toilets for employees and for patients. Each floor has 3 toilets and 2 bathrooms for patients. The NPM team found that TV sets were installed in several corridors, as well as several places where patients could smoke cigarettes.

During the inspection in the rooms of the patients, it was concluded that they meet the minimum standards stipulated in terms of square surface, temperature, and humidity. There is sufficient flow of daylight in the rooms, and all rooms have satisfactory artificial lighting. On the day of the visit, the hygiene in rooms, corridors and toilets was at a satisfactory level.



Hospital unit - E

The special, so-called “**Hospital Division E**”, accommodates a total of 18 female patients. This division is housed in a separate building, which includes the Center for Recreation and Leisure. The patients are accommodated in 3 large rooms, where 5 patients are accommodated in 2 of the rooms each and another 8 are accommodated in 1 room.

The 8-bed room is with a satisfactory square surface, with large windows through which daylight is penetrating. The measured temperature in the room was 22°C, while the humidity level in the air was 37RH%. Inside the room, there are cupboards besides the beds, and the hygiene was at a satisfactory level. The Division also has a living room, which has a TV, set, tables and chairs.

Quarantine rooms

The psychiatric hospital also has a special facility in which a quarantine room is temporarily located. On the day of the visit there was one person in the room, who had tuberculosis, while in the rest of the building there were ongoing construction activities for renovation of the same.

Kitchen, dining room and laundry

The kitchen and dining room are placed in a separate section in one of the facilities of the Institution, and on the day of the visit they were clean and well organized. The kitchen appliances were functional, and the eating utensils were properly stored. During the visit it was concluded that the patients from all departments and divisions eat the food exclusively in the dining room, except for those who have difficulty in their movement and to whom the meals are brought in the departments where they are accommodated. The NPM team also concluded that the monthly list of meals approved by the director of the institution was also prominently displayed in the dining room.

The hospital laundry room is located in a new facility that has two rooms where the dirty clothes are received, washed, dried in drying machines and after the procedure is finished, they are placed in cloth bags taken over by the paramedic.

Ping Pong hall, exercise room and laundry

Within the institution there is also a specially equipped Ping-Pong room and a gym for the patients. There are two ping pong tables in the room, while there are several treadmills, running treads and static bicycles in the gym. From the conversations with officials and patients, the NPM concluded that these premises were almost never used by patients.

At the entrance to the gym there are outlined terms for the work out of the patients. From the prominent terms, it is obvious that the gym is open to patients only in the morning, so when some patients would express a desire to work out in the afternoon it would



not be possible. This is due primarily to the fact that the number of officials in the institution is very low in the afternoon.

4.1.3. Admission and treatment with patients subject to safety measure

The institution has drafted a separate Rulebook on the manner of admission, treatment and release of patients with imposed safety measure. The Rulebook stipulates that these patients may be admitted only with a decision of the competent court, while in the case of a detainees, they are admitted under police escort and the police officers are obliged to carry the patient to the department for patients who have been imposed a safety measure.

Regarding the admission of patients with imposed safety measure, the officials pointed out that the usual practice is that if it is a matter of a violent person, they should first be placed in the acute department, and only then be transferred to the Department for treatment of persons with imposed psychiatric safety measure.

Equal conditions of accommodation and treatment are provided and the same diagnostic and therapeutic methods as for other persons who are in hospital treatment are applied for these patients. According to the Rulebook, the hospital has the right to limit the freedom of movement and contact to the extent necessary for the implementation of the treatment and for keeping and maintaining the order and discipline. In this sense, from the conversations with officials and patients with imposed safety measure, the NPM concluded that there are special fenced walkways for these patients near the facilities in which they are accommodated.

The therapeutic activities outside the department, and within the Institution, are performed in the presence of a medical person. But, given the small number of staff, some of the patients with imposed safety measure complained that they almost did not have any activities beyond the facility in which they were accommodated in the afternoon.

The therapy leave, which can be up to 7 days a month, may be used only with permission from the competent court, which is also competent for giving permissions regarding the use of therapy weekends. However, during the conversation, the patients complained that they were not allowed to use therapy weekends or absences at all. In this regard, the officials of the Institution pointed out that the court is the one who in most cases does not give permission and consent for patients to use therapy weekends and absences, and in a number of cases some of the courts respond that they are not competent to grant such permits or approvals.

In situations where a certain patient with imposed safety measure does not return from a therapy weekend or becomes fugitive, officials immediately report to the police station Gevgelija, which then undertakes measures for finding the patient. At the same time, the officials of the Institution inform the court that issued the security measure of the escape. If the patient is not found and returned within 7 days from the day of the escape,



according to the Rulebook, the patient shall be discharged from the Psychiatric Hospital. If the patient is found and re-admitted to the hospital, the patient will be re-admitted with the same court decision.

Every six months, the head of the Department for patients with imposed safety measure or another manager, if the patient is accommodated in another department, shall inform the courts about the health status of the patients, and may propose a change of the safety measure to the court.

However, the NPM team was informed that in some cases despite the multiple proposals submitted by the head of the department for changing the safety measure, the court does not accept these.

4.1.4. Consent for hospitalization

From the inspection that the NPM team carried out in the forms of consent for hospitalization, in addition to the signatures of patients, there were also signatures of persons accompanying the patients, as well as signatures of witnesses who are most often people employed in the hospital.

This practice is contrary to the provisions of the Law on Extrajudicial Procedure⁴, which stipulates that when a public health institution admits a person consensually, the consent should be confirmed with his/her written statement given before an authorized person and two literate adult witnesses, while employees in the public health institution, relatives of the person being admitted or the person who brought the patient to the public health institution should not be witnesses.

Patients, almost without exception, are brought to the Psychiatric Hospital forcibly (usually accompanied by the police), and most of them automatically sign the consent form, without knowing what they actually sign, and give their consent as a result of the suggestions of the personnel.

As for patients who oppose to giving their consent for voluntary hospitalization, the number of which is lower, they are explained that if a procedure of forced hospitalization is initiated for them, their stay in the hospital will last longer and that it is in their interest to agree to being accommodated voluntarily.

From the interviews with a larger number of patients, the NPM concluded that giving consent for admittance in the hospital was not a real “informed consent”.

The NPM concluded that patients in the hospital, besides the problem with the consent for admittance, are also faced with inability to give special consent for treatment during their stay at the hospital.

⁴ Article 59 paragraph 2 from the Law o Extrajudicial Procedure



It should be highlighted as positive that in the rare cases when forced hospitalization is undertaken, the Gevgelija court reacts in a timely manner and the procedure is respected in the legally stipulated deadline.

4.1.5. Degree of exercise of rights

The Law on Mental Health regulates the right of respect, the dignity and privacy of persons with mental illness, the right to protection from any form of mistreatment, humiliation and abuse, the right to secure a humane and safe environment, and these rights are only a part of the general rights of persons with mental illness which are regulated by the same law. In addition to the general rights, the same law also regulates the special rights of persons with mental illness during their stay in the healthcare institutions.

Regarding the **right to respect, dignity and privacy of the persons**, the NPM team determined that the patients in the departments are not wearing pyjamas, but daily clothes, which shows respect for their dignity during the stay in the institution.

In addition, the NPM team was informed that the practice of group bathing was abandoned, but due to the lack of appropriate personnel, the bathing of patients is still conducted by officials from the staff, from the opposite sex. The NPM recommends that this practice is terminated, because such treatment threatens the patient's privacy.

Regarding the **right to protection against any form of harassment, humiliation and mistreatment**, from the interviews with the patients, the NPM team concluded that they are generally satisfied with the attitude of the staff. However, some of the patients complained about the attitude of one of the officials from the hospital staff, which was also discussed with the director of the institution who pointed out that the person in question will be interviewed regarding the complaints.

NPM inspected the Diary of Incidents, where no cases were recorded of incorrect behavior of the staff towards patients, indicating that the right to protection against mistreatment, humiliation and abuse is met in full.

The NPM team received information that there were no significant incidents between the patients themselves and that the atmosphere in the departments was generally relaxed and calm. In order to determine the situation regarding the treatment and incidents in the hospital.

Regarding the **right to a humane and safe environment**, the NPM notes that the living conditions in the hospital are different depending on the department, parts of the hospital that are being renovated provide better and more suitable accommodation conditions, while those that are not renovated are in bad and an alarming state.

Considering that the living rooms and the premises for occupational activities of the departments that have not been renovated are unsatisfactory in terms of equipment and maintenance, the NPM recommends additional efforts by the officials in the Institution in the direction of providing a humane and safe environment.



The **right to information** of patients placed in psychiatric hospitals involves the possibility for the patient to be fully informed about his/her health condition in all phases of the health care, on the course of the procedure for providing health care, on the possibility of deciding on the recommended medical interventions, the recommended way of living, the rights to health care and health insurance, the procedure for exercising these rights, and so on⁵.

In this sense, the NPM recommends display of the rights in multiple places throughout the institution, as well as more active communication between officials and patients in order to inform them about the elementary legal rights.

The right of patients to be engaged in work activities means working engagement according to their abilities. In doing so, working and occupational therapy are part of the therapy that influences the stimulation and activation of patients in order to animate their time and encourage their re-socialization. In this direction, the NPM team determined that the patients are engaged in carrying out daily hygienic activities, maintaining basic hygiene in the premises in which they are accommodated, but the NPM points out that there is a need for regular animation of the patients, which will improve their lifestyle habits.

As regards the exercise of **the right to accommodation in separate rooms for persons of different sex**, the NPM team determined that there are separate male and female units in the hospital. Taking into consideration that at the moment they are admitted to the hospital, persons are primarily assigned to the departments according to sex, this right is fully respected.

Patients in the hospital do not have a structured day, do not have daily activities, nor are they motivated to participate in any activities. The activation of patients and the animation of the time they spend at the hospital is the most important tool in the fight against hospitalization.

According to the information the NPM team received, patients had no complaints regarding the use of **the right to contact their loved ones**, either personally or by telephone, as well as to receive shipments. Except for patients who have been imposed a safety measure and who have the right to use personal mobile phones in strictly determined periods during the day, there are no restrictions for the other patients in the hospital regarding the use of the telephone.

In addition, persons from the Department for the treatment of alcoholism and other addictions and other non-psychotic disorders are allowed to leave the hospital under specified conditions, have visits in accordance with the house rules, participate in community activities outside the home and they are informed about the events outside the community of which they show interest.

⁵ Article 7 from the Law on protection of the rights of the patients



The right to follow radio and television programs in the hospital is enabled in the living rooms that are part of the hospital departments. Taking into account that all living rooms were equipped with TV receivers, and patients did not complain about obstacles in exercising this right, the same is fully enabled.

On the day of the visit, the NPM team noted that the served food for the patients did not correspond with the food that was provided on the menu for the same day.

In view of **the right to own belongings for personal use**, from the inspection in the accommodation premises the NPM team determined that the majority of rooms in the hospital have space for keeping the most necessary personal items of the patients. In addition, from the interviews with patients, the NPM team was informed that there are no restrictions regarding the possession of items for personal use. Hence, the NPM concluded that this right of the patients in the psychiatric hospital Negorci was fully complied with.

In the area of **the right to nutrition**, the NPM team was informed by the officials that the food in the hospital is good and diverse and in sufficient quantity. However, many patients complained of a lack of vegetables in the diet.

Taking into consideration that the food menu is prepared in consultation with a relevant expert, in order to provide nutrition with the necessary nutritional value, the NPM recommends that the planned menu is complied with in the preparation of the meals for the patients.

4.1.6. Application of means for physical restraint - fixation

In the PHI Psychiatric Hospital "Negorci" - Gevgelija there is a written protocol on the use of means for physical restraint ("fixation"), which besides the principles for applying this method, also lays out the two allowed manners in which patient fixation can be performed:

- 4-point fixation, with soft stripes for hand and foot fixation, and
- Fixation around the chest with a wide stripe.

The hospital also maintains a Fixation Log where the cases of physical restraint - patient fixation are recorded. The Log records the circumstances in which the physical restraint is undertaken - fixation, pharmacological fixation, i.e. medicines used during the restraint, as well as the signature of the doctor who ordered the fixation.

From the inspection in the Fixation Log, the NPM concluded that the time of starting and the time of

However, from the information received from patients, the NPM team concluded that fixation in some cases exceeded a period of 2 hours and lasted throughout the night.



completion of the measure are recorded, which is always with a maximum duration of 2 hours. Although the Protocol on fixation does not strictly emphasize the maximum duration of the fixations, the officials of the NPM have received information that the maximum duration of 2 hours is the hospital's policy and that this limit is never exceeded.

Forms for fixation are filled in for each patient to whom physical or chemical restrictions are applied (the forms include the option to note the cases without a physical restraint), but these forms are not always filled in consistently.

Namely, the patients' files lack forms for fixation, especially those that should be filled also in cases where only "chemical fixation" is applied (without the use of means of physical fixation), i.e. in all cases when patients are being given additional medical therapy to alleviate restlessness and agitation.

From the inspection in the Fixation Log, the NPM affirmed that during the course of 2015, there were 7 cases of fixation, in 2016 there were 3, and in 2017 there were 3 cases. On the other hand, some of the patients indicate the possibility that a number of the cases of fixation may not be noted in the Fixation Log.

There is no soft padding for protection on the walls in the premises, and the belts are of material that can cause injury to patients. For these reasons, the staff often uses wide band-aids for a physical restraint, instead of belts. The fact that during the fixation in the room, there are other people who are witnessing the intervention on the patient is worrying.

Furthermore, from the inspection of the files of the patients who have been fixated in the last three years, the NPM has found that in a significant number of cases the records in the main fixation register are not followed by parallel remarks on the respective fixations in the individual histories.

In that sense, the NPM recommends consistent recording of individual psychiatric histories and all cases of application of physical restraint to patients should also be registered in the patient files.

The physical restraint - fixation is performed in two fixation rooms, one in the acute male ward and is used exclusively for male pa-

tients, and the second room is in the female acute ward and is used for female patients. The rooms in the male and female wards are identical. Each of them has three beds, and one of the beds that is not fixed to the floor has non-standard belts for fixation around the chest and arms.

Regarding the monitoring of patients who are fixated, the NPM has determined that this is done from the adjacent room, through a monitoring window. In reference to the above mentioned, the NPM has received information that the staff is not permanently present in the monitoring room, so the monitoring of the patients is not performed regularly.



4.1.7. Social protection

There are two social workers in the institution working as associates with patients at all departments in the hospital. They are involved in the professional work as part of the multidisciplinary team in the institution (doctors - psychiatrists, psychologists) in the phase of: reception, observation, social diagnostics (assessment), re-socialization and rehabilitation of patients.

In the part of the individual treatment, during the implementation of the social diagnosis (assessment), the finding and opinion regarding the patient is made by a social worker, using the interview as a technique for this purpose. With regard to the treatment and rehabilitation program of the patient, the social workers together with the rest of the multi-professional team (doctor-psychiatrist, psychologist) participate in the program with specific anticipated activities which most often refer to: social interventions to be undertaken, motivation of patients for involvement in sociotherapy and occupational therapy.

There are no occupational therapists with higher education in the hospital, and no occupational therapists, and for that reason the occupation therapy at the hospital is currently managed by a nurse who is forced to carry out these occupational activities without prior training for it.

In their professional work, the social workers do not apply other techniques in the method of social assessment of patients and families of patients: genogram, eco-map and scale for assessment of family relations, etc.

The following are the most common problems in communication with the Centers for Social Work: failure to make mandatory visits to be carried out by the experts (teams) from the centers for social work for patients who are assigned caretakers ex officio, untimely response to the written requests of the social hospital workers in terms of achieving the individual needs of the patients, irregular provision of funds for the patients, failure to undertake quick activities by the expert teams from the Centers to find certain institutional and institutional forms of social protection.

It is evident that the cooperation of the hospital with certain Centers for Social Work is not at a satisfactory level, especially for patients who are assigned caretakers ex officio by the Center for Social Work.

The social workers pointed out that the hospital has patients who do not have medical indications for continuing their stay in the hospital, but due to the lack of certain forms for their protection outside the institution, they are forced to stay in the hospital for a longer period of time until a certain form of non-institutional or institutional protection is provided by the centers for social work.

The following methods are most commonly applied in working with patients: method of individual and method of group social work. Often, the individual (treatment) with the patients is applied occasionally during the visit to the departments and upon a personal request of the patient in the area of meeting the



The occupational therapy is carried out with a small group of patients (usually 3-5 patients per day). It is not organized, coordinated, with a specific plan and program of activities that should be realized. Within the occupational therapy, the patients are engaged in monotonous activities that are repeated every day: drawing, knitting, etc.

needs of the patient.

Regarding the provision of social services to the patient by the social worker, the following are the most common: First social service (informing, recognizing and initial assessment of the needs of the user); Counseling and assistance and Psychosocial assistance.

The following social services are occasionally applied: Involvement in individual and group treatment in work with the patient and Re-socialization and rehabilita-

tion. The social workers at the Institution endeavor to conduct occasional contacts with the families of the patients in order to inform, counsel and instruct the families regarding the rights of the social protection system and regarding the needs of the patients arising from their treatment at the hospital. The visits of the family members of the patients at the hospital are not time-limited, and generally most of the families regularly visit the patients and they have good communication and collaboration with the hospital staff.

The NPM team considers that the work activity set up in this manner in the occupational therapy does not stimulate the work rhythm, does not stimulate the attention, creativity and care of the patients, about their own experiences and the experiences of the other patients in the immediate environment.

With regard to the group treatment of the patients, the social workers have occasional group meetings with the patients in each department that are topically identified and time limited, depending on the motivation and interests of patients. The thematic areas that are covered at group meetings are usually initiated by patients and refer to: the order and rules of the hospital, the family, the motivation, and other topics that are imposed as discussion topics.

More frequent group meetings are carried out twice a week at the court department and the chronic departments, while in other departments at the hospital, group discussions are usually done once a week.

The occupational therapy in the hospital covers a small number of patients who come daily and engage in certain activities such as knitting, drawing, writing and making figures with different techniques.

There are no sports and recreational activities carried out in the hospital. This does not encourage their physical activity, physical fitness, and it reduces the possibility for their socialization, the possibility of improving the communication, developing the feeling of group affiliation, which in fact is the main goal of this treatment.



Most patients indicated that there is no organized and planned use of the free time that should be in line with the individual and group needs of patients. Most often, patients use their free time by watching TV and listening to music.

The NPM notes that records are kept by the occupational therapist for present patients during the day, the type of activities for each patient separately, the achieved results from the performed activities and the plan for the next activities of the patients.

The occupational therapy is realized with a certain number of patients who help in the kitchen, with the hygiene in the departments, laundry in the hospital, etc.

When organizing occupational therapy, certain principles are not followed: the group is not formed with a clear goal and it does not cover a larger number of patients from different departments of the hospital. This type of therapy does not allow quick and good cohesion between patients, which is an important factor for group work or therapeutic community. It also does not allow development of skills that assist in carrying out daily activities, group skills and hobby activities that build moral and social skills and encourage them to live independently after leaving the hospital.

4.1.8. Complaint system

It was affirmed that the Institution has established a special "Procedure for reviewing and deciding on complaints by patients", which aims to regulate the manner of proceeding when a patient makes a complaint. The procedure defines the actions of the responsible person and of the persons who are authorized to deal with complaints.

During the visit, the NPM team noticed that the "Compliments and Complaints" box is located at the entrance of the administrative side. During the visit, the NPM team concluded that there were no forms at the location designated for them.

Considering that there are several steps leading to the entrance, and there is no accessible ramp, the NPM team finds that the box for compliments and complaints is difficult to reach for people with physical disabilities.

The NPM team also concludes that the access to the mechanism for complaints is difficult to access for persons who are subjected to a security measure, having in mind that their freedom of movement is restricted only within the enclosed walkways and in fact they do not have access to the box located at the entrance of the administrative building.

The compliments and complaints are kept in special envelopes and entered in a book/diary. A total of 21 cases of complaints were registered in the diary for the period from 2010 to 2016.



4.1.9. Insights into patients records

From the insight into the patient's histories, the NPM team concluded that they are kept and filled properly. The medication therapy is not recorded in the patient's medical history, but there are special lists of therapies, i.e. each patient has a special temperature list with therapy, which is kept in the history after the patient leaves the hospital. There is a special book of the therapies of the patients at every department, where the current therapy of all patients can be seen.

The patients' histories also include Treatment and Rehabilitation Program (special form), which contains the following items: pharmacotherapy, working therapy (life skills training) and occupational therapy.

Review no.36

Review of recommendations and responses received to the PHI Psychiatric Hospital Negorci	
Recommendations	Response to recommendation
Urgent employment of additional professional staff and medical personnel.	We request immediate employment of doctors, nurses and paramedics and the Ministry of Health has promised us that we will get the approval for the necessary employments. In the meantime, we contracted a psychiatrist with a job contract from April 1 for the purpose of improving the quality of psychiatric services.
Renovation of the facilities in which the Department for treatment of psycho-geriatric (gerontopsychiatric) conditions in psychiatry and the Department for treatment of acute conditions are located.	The Public Procurement Plan for 2018 includes renovation of the Department for treatment of psycho-geriatrics and the Department for treatment of acute conditions, so we hope that adequate funds will improve the conditions for our patients and improve the working conditions for the employees.
The patients from the Department for treatment of persons subjected to security measure to be enabled to have access to the premises of the hospital staff or to a system to be installed that can alert the personnel in emergencies.	An alarm system for emergencies for the medical staff (nurse, paramedic) will be installed in the mentioned department. By installing the alarm system, we will provide uninterrupted contact with the paramedic on duty with all patients, given the size of the unit and the large number of patients.



Review of recommendations and responses received to the PHI Psychiatric Hospital Negorci	
Recommendations	Response to recommendation
Allow patients in the Institution to use the ping pong room and the gym in the afternoon.	The use of the ping pong room and the gym in the afternoon will depend on the staff in the shifts. After the heating season, we have additional staff that we will include in organizing sports activities both in the morning and afternoon.
Improve the cooperation and communication between the social workers from the Institution with the Centers for Social Work, especially regarding the rights enjoyed by the patients and establish mandatory visits by the caretakers of the patients from the centers for social work.	Our social workers are in contact with the families of the patients and with the Centers for Social Work, although they face resistance from the families and the social workers, especially due to the fact that many of our patients have been hospitalized for many years. We are very often in conflict with the Centers because they think that people with mental illness belong to mental hospitals and it is very difficult to cooperate especially when patients need to be relieved and re-socialized in their surrounding.
Implement a monthly plan and program for working with patients in the departments, regarding the implementation of the working and occupational therapy.	For the creative activities of the patients i.e. encouraging their desire for physical, mental and creative activity, we will try to obtain an authorization for employment of working therapists who, depending on the abilities and interests of our patients, would be involved in the preparation of individual therapeutic plans for working and occupational therapy for patients.
The boxes for compliments and complaints should be placed in all separate departments within the institution, in places that are easily and permanently accessible to patients, and which are away from the constant and direct supervision by the officials and the medical personnel.	We will place boxes for compliments and complaints in all hospital departments, as you indicated.



Review of recommendations and responses received to the PHI Psychiatric Hospital Negorci	
Recommendations	Response to recommendation
Urgently discontinue the practice of long duration of the fixations and the patients not to be exposed to a physical limitation longer than necessary and ensure constant monitoring for each patient for the entire duration of the physical limitation.	During a fixation of a patient, we always mind how long the patient will be fixed and the patient is under constant surveillance. The very act of fixation is very stressful for all employees and in such situations the entire staff in the department is involved in the observation of the patient.
Immediate adaptation of the fixation rooms that will be suitably equipped for this purpose.	The Director of the PHI Psychiatric Hospital Negorci did not give a response to this specific recommendation.
Patients who are required to sign a consent for their admission in a psychiatric institution should be clearly informed of what that the consent represents, as well as the reasons for the need for signing the consent.	When admitting the patients and requesting a consent for hospital admission, it is always explained to the patients why they need to sign and they are allowed to read what they signs at the very admission, and also the escorting persons are asked to sign, and they are usually escorted by police or a medical person.
It is necessary that patients are offered the opportunity to give special consent for a treatment.	The Director of the PHI Psychiatric Hospital Negorci gave unsuitable response to this specific recommendation.

Review no.37

Преглед на дадени препораки и добиени одговори до Министерство за здравство	
Recommendations	Responses to the recommendations
Urgent employment of professional staff and medical personnel.	No response was received from the Ministry of Health on the given recommendations in the Special Report from the visit to the PHI Psychiatric Hospital Negorci up to the release of the Annual Report.
Renovation of the buildings in which the Department for treatment of acute conditions and the Department for the treatment of psychogeriatric gerontopsychiatric conditions are located.	
NPM recommended removing the objects from the acute department that are easily breakable and with which patients could injure themselves or someone else.	
Immediate adaptation of the fixation rooms that will be suitably equipped for this purpose and enable safe and unhindered physical limitation of patients who require it.	



4.2

PMI NURSING HOME “SUE RYDER” BITOLA



In 2017, the NPM conducted a visit to the PMI Nursing Home “Sue Ryder” - Bitola, an institution that de jure is not a place for deprivation of freedom, but in which the freedom of movement of the users is limited.

Namely, pursuant to Article 31-a of the Law on the Ombudsman, the Ombudsman performs regular and unannounced visits to the bodies, organizations and institutions in which the freedom of movement is limited for which he prepares and submits a special report to the places visited and to the competent ministries.

4.2.1. General data and structure of users and employees

The Nursing Home “Sue Ryder” - Bitola is a public municipal institution that provides accommodation, food, assistance and care, health care, cultural and entertainment activities, work and recreation activities, social work services and other services depending on the needs, capabilities and requirements of the users. In addition, according to the Law on Social Protection, the Home provides admission and temporary accommodation of seniors and elderly people who, due to various circumstances, have found themselves outside their place of residence, without finances or without permanent accommodation, until their return to their family or accommodation in a social care institution.

In addition to these services, the Law on Social Protection stipulates that the institutions for the elderly may also organize non-institutional forms of care in the form of providing home help and day care for the elderly.

During the conversation with the head of the Home, it was mentioned that the idea of giving home help has been discussed for a long time, but that at the moment, due to lack of personnel and finance, it is not possible to realize it, and also closer coordination



with the Council of the municipality is necessary.

The Home can accommodate 150 users and it is full. Namely, on the day of the visit to the Home, there were 151 persons accommodated, from which, according to the gender structure, the number of female users is significantly higher, i.e. 102 women and 49 men, while according to the age structure, most of the users are above 80, i.e. 71 users are over this age.

There are two categories of users staying in the Home, that is, users who are accommodated on the basis of individual contracts concluded with the Institution and users that are placed with decision of the centers for social protection. At the time of the visit, 35 users were accommodated with decisions of the centers for social work.

The costs of accommodation, medications, laboratory analyzes, specialist examinations and all other additional costs are borne by the users themselves, for those who are accommodated with accommodation agreements, while for the users who are accommodated with decisions of the centers for social work, these costs are borne by the Home.

The NPM team received information that there were cases when some of the users were admitted at the request of a family member, and after another family member learns of that, for that family member to come to the Home and ask to take the person and take care of him. The officials from the Home pointed out that in such situations they inform the signatory of the agreement and that they respect the will of the person to leave the Home.

The NPM team recommends in all cases of voluntary placement of users who have not been deprived of their capacity to exercise rights to always respect the will, that is, to take care and to request explicit consent for the accommodation from the user himself.

The total number of employed persons in the Home is 39 regular employees, as follows:

In addition to regular employees, external collaborators are engaged for the needs of the Home from the following work profiles: general practitioner, internist and neuropsychiatrist who visit the Home once a week and when necessary, a barber who visits the Home twice a week and when necessary, as well as persons who take care of maintenance of the water supply, central heating and electrical installation, which are called when needed. In addition, the Home has concluded contracts for daily engagement of persons from an Agency for securing facilities and persons, as well as from an Agency for hygiene maintenance in the facility.

From the insight into a part of the accommodation agreements, as well as from the conversation with the officials from the Home, the NPM team concluded that the accommodation agreements with the Home are concluded with close relatives of the users, and not with the users themselves, despite the fact that the majority of them have not been deprived of their capacity to exercise rights, nor are they assigned special guardians.



Review no.38

Review Employees of the Home for the Elderly People “SJU Ryder” Bitola	
Job position	Number of employees
Director	1
Social worker	1
Accountant	1
Administrative technician	1
Economist	1
Telephonist	2
Chef/Chief Chef	2/1
Geronto-housewife	15
Host	1
Head nurse	3
Nurse	10

From the Insight in the Rulebook on Systematization of Jobs in the Home⁶ and the comparison with the real number of employees per job position, the team of the National Preventive Mechanism concluded that the number of employed geronto-housewives is filled and is in accordance with the number of job positions in the systematization.

The Rulebook on norms and standards for space, equipment, professional staff and funds necessary for establishing and starting an institution for social care for the elderly, stipulates that in a facility that accommodates 70-150 users, there is a need for one full-time physiotherapist (secondary school education)⁸.

Considering the provisions of the bylaws that stipulate that an institution of that capacity should have “one geronto-housewife for every 10 users in a shift, i.e. as exception, three geronto-housewives for all users in the third shift (unskilled and secondary school education)”⁷, it is evident that the number of geronto-housewives should be increased.

⁶ The Rulebook on systematization of jobs was adopted by the Management Board of the Home, at a session held on 23.07.2015

⁷ Art. 17 par.1 item 3 line 4 of the Rulebook on norms and standards for space, equipment, professional staff and funds necessary for establishment and starting of a social care institution for the elderly.

⁸ Art. 17 par.1 item 3 line of the Rulebook on norms and standards for space, equipment, professional staff and funds necessary for establishment and starting of a social care institution for the elderly



Also, the National Preventive Mechanism concluded that the Rulebook on Systematization of Jobs in the Home does not include the job position of a physiotherapist.

4.2.2. Material conditions

Home structure

The PI Nursing Home "Sue Ryder" is an institution for social protection of elderly persons from the category of institutions with a capacity of 70 to 150 users and it consists of three physically separated facilities, one of which is an administrative building, while the other two are housing units for accommodation of the user. One residential unit is designed for the needs of elderly mobile users, while the other housing unit is intended for accommodation of immobile users.

Both residential units used for accommodation of users consist of a floor part and a part located on a floor. Besides the basic premises for accommodation of the users, the institution also has common, auxiliary and economic-technical premises.

Inspection of the premises (bedrooms, common, auxiliary and economic-technical premises)

The NPM team inspected the entire facility - most of the bedrooms for accommodation of users, joint, auxiliary and economic-technical premises. From the inspection of the bedrooms, it is concluded that they are separated into male and female rooms and in most cases two users are accommodated in one room, and in several of the bedrooms there are one, three or four users in one room.

The NPM concluded from the inspection that there are access ramps at the entrance of the facilities, functional interior elevators in the buildings, and built-in holders for motion support as well as fire-fighting devices in the corridors.

The hygiene in the institution is on a satisfactory level, the premises are new, well arranged, adequately equipped with beds, mattresses, bed linens, cabinets, heaters, TV sets (in some of them). The floor in the Home is tiled and laminated. In most of the accommodation rooms there is a separate bath and shower, which were functional, clean and well maintained.

There are call alert devices in the bedrooms in case of need of help that were non-functional in most of the premises on the day of the visit, and for those premises with functional call alert devices, the NPM team concluded that the employees in the institution



did not respond in a timely manner or did not respond in general to the call alert.

As for the common, auxiliary and economic-technical premises, the Home has living rooms (entertainment rooms) that are equipped with a TV set, tables and chairs, seating couches, as well as terraces and are used for social and recreational activities of the users. The Home also has a kitchen, a dining room and a food storage, as well as a separate washing and drying room, which were found to be clean, adequately equipped, supplied with appropriate items.

4.2.3. Nutrition

There are one chief chef and two chefs employed in the kitchen. Three meals (breakfast, lunch and dinner) are prepared on a daily basis and they are served in the dining room or delivered to the bedrooms of the immobile users. Meals for people with special treatment (for ex. people with diabetes) are included in the diet menu.

From the interviews with the users at the Home, the NPM team determined that some of them are not satisfied with the quality of served meals. In addition, in accordance with the Rulebook on the norms for daily nutrition of the users in institutions for institutional social protection⁹, four daily meals are planned in the dietary planning for the elderly: breakfast, lunch, snack and dinner.

Furthermore, the same Rulebook¹⁰ also envisages groups of food products, that is, diversity in the diet of the elderly, according to which it should consist of: cereals, meat, fish, eggs, milk and dairy products, fruits and vegetables, honey and the like.

4.2.4. Hygiene

Six outsourced persons are responsible for the hygiene in the Home and they work in two shifts of four hours, while in the afternoons and evenings, the hygiene is maintained by the geronto-housewives.

From the inspection of the bedrooms and sanitary facilities, the NPM team identified flaws in the control lists for recording notes for cleaning the premises, which suggests that set backs are made in relation to the maintenance of hygiene. Namely, according to the list of records, it is planned that the toilets in the bedrooms are cleaned three times during the day, while the recorded information in these lists indicates that these premises are cleaned only once during the day.

⁹ Article 15 of the Rulebook on the norms for daily nutrition for the users in institutions for institutional social protection

¹⁰ Article 16 of the Rulebook on the norms for daily nutrition for the users in institutions for institutional social protection



4.2.5. Treatment and rights

During the visit to the Nursing Home Sue Rider, the NPM team also conducted several group and individual discussions with the present users.

Material conditions, hygiene and food

From the interviews conducted with the users, it was established that they are satisfied with the attitude of the staff, they are generally satisfied with the conditions for accommodation in the Home, as well as of the level of hygiene maintenance.

Although there were complaints regarding the quality and diversity of the nutrition, the NPM team found that attention is paid in the distribution of food regarding religious basis, as well as special diet in cases of diabetes or a similar dietary regime caused by any state or disease.

Freedom of movement

Most of the users of the Home have unhindered possibility to move in the area of the Home and outside the area of the Home, as well as the possibility of visiting and longer stay in their homes. Hence, it can be concluded that their right to freedom of movement is respected, but a remark is noted regarding the limited time for visits to the Home.

The NPM believes that limiting time for visits hinders the users from establishing basic contact with their families and other close ones, especially since a good portion of them are employed and "bound" with a specific working time, hence they are not able to visit their loved ones staying in the Home in the time allowed for the visits.

From the conversations with the users, as well as from the conversation with the Director of the Home, it was determined that the visits in the Home can be conducted in a specific time period during the day, that is, from 11:00 am up to 5:00 pm. According to the house rules of the institution, visits of the users are allowed in the morning from 09:00 to 09:30 and afternoon from 3:00 to 5:00.

Social activities

From the interviews with the users, the NPM obtained information that various social activities are frequently carried out in the Home, such as visits of places of importance, churches, plays, choral singing and other cultural events, parties, excursions, educational lectures, etc. Also, the users acknowledge the work of the social worker, and they said that he is present every day and is available to them.



Hence, the NPM concluded that the needs of the users for spending the free time were met, and that the implementation of these activities positively affects the users themselves

Apart from the mentioned social activities outside the Home, other activities are carried out in the Home, such as joint reading of literature, painting, conducting cooperation with creative associations for knitting and other handicrafts, as well as various social games.

Personal hygiene

From the information that the NPM team received from the users of the Home, it can be concluded that the personal hygiene in the Home is adequately provided. Namely, the users receive the necessary hygienic means in a timely manner, the bed linen is changed once a week and the wardrobe is also changed regularly, depending on the needs of the users themselves.

Bathing and shaving is provided once a week, for users who are not able to do it themselves, while users who are able to take care of personal hygiene themselves have the opportunity to bathe more often.

From the interviews conducted with the users and the director of the Home, it turned out that users do not have hot water throughout the day, that is, in the Home, hot water can be used only 3 hours, from 11:00 am to 2:00 pm.

Considering the above information received from the users of the Home, the NPM considers that the stated hygiene needs are handled in a manner as regulated by the Rulebook on norms and standards for space, equipment, professional personnel and funds necessary for establishment and starting a social care institution for the elderly¹¹.

A barber visits the Home twice a week, but according to received information from the users, a women's hairdresser has not come to the Home for a long time, which is in violation of the Rulebook on norms and standards for space, equipment, professional staff and funds needed for establishment and starting a social care institution for the elderly¹², according to which the female users should be visited by a hairdresser once a month. In the lack of a female hairdresser, the female users of the Home have their hairs done by a barber.

The NPM recommends, in terms of maintaining personal hygiene, not to make deviations from the way it is regulated in the aforementioned Rulebook.

¹¹ Article 19 of the Rulebook on norms and standards for space, equipment, professional personnel and funds necessary for establishment and starting of a social protection institution for the elderly

¹² Article 19, paragraph 1, line 4 of the Rulebook on norms and standards for space, equipment, professional personnel and funds necessary for establishment and starting of a social protection institution for the elderly



4.2.6. Complaints system

From the conversation with the director and users in the Home, the NPM team concluded that the director regularly visits them and conducts immediate meetings with the users who can directly complain to her about any problems related to the treatment or the exercise of their rights.

Also, in the House Rules of the Home, of which all beneficiaries are informed when they are first accommodated (for which they sign a statement of consent), there are no provisions for the possibility for the users to complain about any problems related to the treatment or the exercise of their rights.

The NPM considers that when they are accommodated in the Home, the users need to be informed about the possibility to complain about the treatment they receive, and provisions for this should be entered in the House Rules of the Home.

However, a formal complaint system where every complaint would be separately documented and every measure taken to investigate it would be recorded has not yet been established.

4.2.7. Health protection

The medical team of the Institution is composed of 3 head nurses and 10 nurses who are employed in the Home, and a general practitioner, internist and neuropsychiatrist doctor are additionally engaged. Attention is paid in the Home that there are two responsible persons for nursing (nurses - secondary school education)¹³, in a shift, while the specialists - internist and neuropsychiatrist, as well as the general practitioner, come to the Home once a week or when necessary.

The uses of the Home are health insured, and the manager of the Institution pointed out that the choice of the family doctor is left to the disposition of the users themselves, in accordance with the rights they have, like all other patients. However, most of the beneficiaries in the Home, after their accommodation choose for their doctor the general practitioner who visits the Home, primarily because of the fact that their previous doctors are not able to make regular visits to the users and prescribe the necessary therapy in a timely manner.

From the conversation with the officials, as well as with some of the users, it was concluded that the users are informed of the prescribed therapy and agree to receive it. In this sense, users who have a better mental or psycho-physical condition were able to tell about the type of therapy they received, as well as the appropriateness of the prescribed with the administered therapy.

When it comes to users who are not able to give consent (because of the nature of

¹³Article 15 of the Rulebook on the norms for day-care of users in institutions for institutional social protection



the illness or the like), their legal representatives, or their proxies or their close relatives, are informed about the therapy and in general about the overall medical treatment and care.

The NPM team also concluded that the therapy indicated in the medical documentation corresponded to the therapy prepared for administration, and after several verified cases with users; it was found that it really corresponded to that prescribed by their doctors. In cases when there is a need for hospital treatment, the users are referred to the Clinical Center Bitola, where they are accompanied by a nurse and geronto-housewife, and also, where necessary, by teams of emergency medical assistance.

The general practitioner noted that users are mainly people with chronic diseases (heart disease, hypertension, diabetes, atherosclerosis, dementia, rheumatic diseases and others). The medical examinations and controls are more common for them, and therefore, specialists (neuropsychiatrist and internist) who are most competent for these diseases come once a week.

Speaking of the psychiatric and neurological diagnoses, dementia and atherosclerosis are most common. These diseases are usually accompanied by anxiety, aggression, uncontrolled behavior, insomnia, which is why drugs for calming and sleeping are commonly used for these patients. According to the general practitioner, the neuropsychiatrist is the one who controls the condition for the type, dose, duration of these drugs. In an intermittent situation of restlessness, he recommends ampullary anxiolytic therapy, but if the condition does not improve, assistance is required by a physician specialist in this field.

The doctor is subsequently informed of these cases, according to the allegations of the nurses, that is, the technicians, and the administered therapy is recorded in the user's medical record.

The NPM team believes that the anti-anxiety medications, i.e. sedatives, tranquilizers and other such drugs should be given exclusively upon prior recommendation or approval from professional and competent medical specialists, among other things, due to the fact that these drugs, besides the sedative effect, have some side effects.

The NPM has determined that in cases of anxiety and aggression among users, especially at night, the nurses or the technicians decide on their own and without prior consultation with a competent physician to give or increase the dose of a particular anti-anxiety medication.

4.2.8. Social protection

There is only one social worker in the Social Work Department in the Home. According to the Rulebook on systematization of jobs, he is obliged to perform professional work in the direction of effective, efficient and timely processing and solving issues and problems related to the users of the services of the Institution, in accordance with the standards and procedures in the area of protection of users of a certain social risk, applying modern methods and techniques of work.



In this sense, the social worker in the Home compiles expert findings and opinions for each of the users separately; opens a file, keeps, updates and closes a user's dossier and conducts written communication with custodians and other relevant institutions; Leads the procedure for acceptance and removal of a user, keeping a register of users; advises and informs the caregivers to recognize the real problems and needs of the users; takes care of the socialization of the users, etc.

During the inspection in the individual user files, the NPM team concluded that at regular monthly intervals, findings and opinions were prepared by the expert team composed of a social worker, a doctor and a chief nurse. These findings, besides the basic information for the user, contain data on the actual factual situation of the user, which is used to determine the need for eventual modification of the individual "Plan for working with the user for the duration of the accommodation in the institution".

From the performed inspection in several "Plans for working with the user", the National Preventive Mechanism concluded that they were individualized and harmonized with the different needs and capabilities of different categories of users (mobile, immobile, aware, etc.).

The "Leaflet for monitoring the accommodation of the beneficiary in the institution" is integral part of each user's file, where the date and activities undertaken in relation to each user are recorded separately (when was the work plan prepared, when was the monthly report for the user prepared, when the user attended performances or other social events, when did the user leave for a weekend, etc.).

When being admitted in the institution, along with the Application for admission and accommodation of users in the Home and in addition to the medical documentation, the users in the Home also submit and present other personal documents (ID card, birth certificate, pension check, photocopy of the transaction accounts, etc.), so in this sense each file contains a Statement of Consent for Use of the Personal Data by the Institution for the purpose of exercising and using certain rights on behalf of the User.

Upon admission in the Home, the users also sign a Statement of Compliance with the House Rules of the Institution and to respect it. During the inspection of the House Rules,

Considering that the users in the Home are voluntarily admitted, the NPM team believes that the many-day absences of the users should not be conditioned by previous approvals of the social worker, the head nurse and the director of the Institution. It is not permissible to seek consent, nor is it possible for any person to agree for his freedom of movement to be restricted or conditioned by a decision of a third party or body.

The National Preventive Mechanism, considering the capacities of the Home, i.e. the number of users accommodated therein, and in particular the type and scope of the tasks of the Department of Social Work, also considers that an increase in the staff in this Department is required, with at least one more an expert who would participate in the process of providing psycho-social assistance and support for the beneficiaries.



the team of the NPM concluded that “the absences of the users for 1, 2, 3 and more days are approved by the social worker, the head nurse and the director of the Home. If necessary, they also receive written approval from the social worker.”

4.2.9. Recommendations and acting based on recommendations

The National Preventive Mechanism received a response in the legally prescribed deadline from the PMI Nursing Home “Sue Ryder” - Bitola, but did not receive a response by the competent ministry within the set deadline.

The Management of the Nursing Home “Sue Ryder” - Bitola informed the National Preventive Mechanism that an expert team was set up within the Institution, which will be in charge of the implementation of the recommendations arising from the regular inspection of the Nursing Home. In response to the submitted report, the management of the Home informed the NPM that it agrees with the conclusions and has acted or will act in the direction of implementing the given recommendations.

Review no.39

Review of given recommendations and acting on the base of given recommendations to the Nursing Home “Sue Ryder” - Bitola	
Recommendation	Response to recommendation
Increase the number of geronto-housewives, both in the Rulebook on systematization of jobs, and in reality, that is, in the Home.	Regarding this recommendation, the initial steps for increasing the financial resources for salaries have already been taken in the Financial Plan for 2018 by the PMI Nursing Home Sue Ryder, envisaging the employment of the indicated personnel.
The Rulebook on systematization of jobs should include a job position for a physiotherapist and it should be filled in the shortest possible time.	The Financial Plan for 2018 provides for funds for the salary for employment of operational therapist-psychologist and operational therapist-physiotherapist.



Review of given recommendations and acting on the base of given recommendations to the Nursing Home “Sue Ryder” - Bitola	
Recommendation	Response to recommendation
Increase the number of employees of the Department of Social Work by at least one other person who would participate in the process of providing psycho-social assistance and support for the users (psychologist, psychiatrist, social worker).	The Financial Plan for 2018 provides for financial resources for the employment of one social worker.
Increase the number of geronto-housewives, both in the Rulebook on systematization of jobs, and in reality, that is, in the Home. (the recommendation was also addressed to the Ministry of Labor and Social Policy).	In connection with this recommendation, the Institute increased the financial resources for salaries in the Financial Plan for 2018, which envisages employment of the indicated personnel.
The Rulebook on systematization of jobs should include a job position for a physiotherapist and it should be filled in the shortest possible time. (the recommendation was also addressed to the Ministry of Labor and Social Policy)	The Financial Plan for 2018 provides for funds for the salary for employment of operational therapist-psychologist and operational therapist-physiotherapist.
Increase the number of employees of the Department of Social Work by at least one other person who would participate in the process of providing psycho-social assistance - psychologist, psychiatrist, social worker. (the recommendation was also addressed to the Ministry of Labor and Social Policy)	The Financial Plan for 2018 provides for financial resources for the employment of one social worker.
The medicines for sedation, i.e. sedatives, tranquilizers and other such drugs should be given exclusively upon prior recommendation or approval by professional and competent medical specialists, among other things, because these drugs, besides the sedative effect, also have some side effects.	The management of the institution fully implements the recommendation. As evidence, the Order dated 03.06.2014 was delivered to the NPM, which stipulates that the employees of the Home, nurses responsible for the distribution of the therapy given by the doctor, are strictly forbidden to give additional therapy on their own opinion or assessment.



**Review
of given recommendations and acting on the base of given recommendations to
the Nursing Home “Sue Ryder” - Bitola**

Recommendation	Response to recommendation
<p>The multiple-day absences of the users who are accommodated in the Institution on a voluntary basis should not be conditioned by previous approvals of the social worker, the head nurse and the director of the Institution, but the provisions of the House Rules to be amended in the sense that it should be indicated that it is sufficient for the user to only inform the competent authorities in the institution of the use of a multiple-day absence.</p>	<p>Amendments to the House Rules have been made, where it is emphasized that the responsible persons should only be informed of the absence of the users who are in good psycho-physical condition, without the request for prior approval.</p>
<p>Increase the flexibility with regard to the visits of the users in the Home, while still ensuring that the normal functioning of the Home and the scheduled regular activities of the users are not impaired.</p>	<p>For the normal functioning of the Institution and the regular activities of the users, the visits of the users by their close relatives and other persons are allowed as follows: every day morning from 11.00 am to 11.30 am, and afternoon from 3.00 pm to 5.00 pm.</p>
<p>Establish a formal complaint system whereby users can complain on a confidential basis about certain behavior of employees in the Home or problems with the exercise of their rights. The management should document all of the complaints and the measures taken to investigate them.</p>	<p>The users are able to complain in writing on a confidential basis about a certain behavior of the employees in the Institution or about the problems in exercising their rights in: the mailboxes for complaints and appeals that are placed at the entrance of the administration building and at the entrances of the buildings where the users reside. Each complaint will be recorded and documented in the book of complaints in the institution's archive.</p>

Review of given recommendations and acting on the base of given recommendations to the Nursing Home “Sue Ryder” - Bitola	
Recommendation	Response to recommendation
<p>During the admission of the users in the Home, they should be acquainted with the possibility to complain about the treatment they receive, and provisions for the same should be included in the House Rules of the Home.</p>	<p>The users are able to complain in writing on a confidential basis about a certain behavior of the employees in the Institution or about the problems in exercising their rights in: the mailboxes for complaints and appeals that are placed at the entrance of the administration building and at the entrances of the buildings where the users reside. Each complaint will be recorded and documented in the book of complaints in the institution’s archive.</p>
<p>A more careful approach to preparing the daily menu, more quality and varied groceries, more meat and dairy products in the diet, and keeping the four-meal rule throughout the day.</p>	<p>The institution provides a regular number of meals in accordance with the recommended amounts of energy, nutrients and protective substances. The institution has engaged a person, from the employees, to control the preparing of the meals and the quantities of products used.</p>
<p>Not make deviations from the prescribed manner of maintaining the hygiene, i.e. clean the premises three times during the day and properly record it in the record sheets, as well as respect the rule on general cleaning of the Home, once in month.</p>	<p>Regarding this recommendation, the NPM received a response that the nurses are obliged to continuously monitor the organization and the recording of the maintenance of hygiene and failure to comply with the Operational Plan for hygiene maintenance will be sanctioned.</p>
<p>Provide the users with constant access to hot water so that they can continuously satisfy the basic hygiene needs.</p>	<p>The users of the institution are provided with hot water in all sanitary facilities through a system of two water heaters with a capacity of 3000 liters (which in the summer period are heated to electricity and in the winter period connected to a system with central heating), which are used for continuous and regular personal hygiene and care of the users, in accordance with the daily schedule.</p>



**Review
of given recommendations and acting on the base of given recommendations to
the Nursing Home “Sue Ryder” - Bitola**

Recommendation	Response to recommendation
<p>Provide a female hairdresser in the Home, in a manner as regulated by the Rulebook on norms and standards for space, equipment, professional staff and funds necessary for establishing and starting an institution for social protection of the elderly.</p>	<p>The 2018 Work Program, as well as the Public Procurement Plan for 2018, provides for the provision of hairdressing services, for which funds are foreseen in the Financial Plan for 2018.</p>

5

VISITS TO CENTERS FOR ACCOMODATION OF REFUGEES/MIGRANTS, FOREIGNERS AND ASYLUM SEEKERS

During 2017, the team of the National Preventive Mechanism continued with continuous visits and monitoring in the Reception Transit Centers Vinojug and Tabanovce, as well as in the Reception Center for Foreigners in Gazi Baba and the Reception Center for accommodation of asylum seekers in Vizbegovo.

The purpose of the visits was through inspection of the material conditions and documentation and through interviewing the persons accommodated in these centers and the officials, to identify the possible risks for the prevention of torture and other cruel and inhuman treatment and punishment, as well as to improve the legal protection system and to ensure unhindered realization of their guaranteed rights.



5.1

RECEPTION TRANSIT CENTER TABANOVCE



In the course of 2017, the NPM concluded that the number of migrants/refugees accommodated in the Reception Transit Center Tabanovce had reduced. Namely, at the beginning of 2017, the Center accommodated up to 50 people, and in December only 12 people.

The NPM team identified several irregularities in the treatment of the migrants/refugees in RTC "Tabanovce", of which it is important to mention the case of re-admission, conducted without prior announcement by the Ministry of Interior, as well as the case of violent deportation of migrants/refugees who were accommodated in and around the Center.

In addition, the NPM notes the established practice of the Ministry of Interior to selectively and voluntarily allow access of the refugees/migrants to the Reception Transit Center, so that some migrants/refugees were denied humanitarian assistance and protection.

At the same time, it was also found that the freedom of movement of the migrants/refugees was limited by the representatives of the Ministry of Interior. Namely, the persons who were registered and accommodated in the Reception Transit Center "Tabanovce" were able to leave the Center for personal reasons, only in two terms during the day, precisely determined by the representatives of the Ministry of Interior.

Despite the negative findings regarding the work of the Ministry of the Interior, the NPM also identified a case of positive practice in the actions of the Ministry of Labor and Social Policy.

Namely, according to the Standard Operating Procedures for the Treatment of Unaccompanied Children - Foreigners, the Ministry of Labor and Social Policy appointed a guardian from among the present social workers to the unaccompanied minors, immediately after their arrival at the Reception Transit Center "Tabanovce".

For the identified conditions in the Reception Transit Center Tabanovce during 2017,



the NPM prepared a Special Report (link to the Special Report for the PTC Tabanovce: [http://ombudsman.mk/upload/NPM-dokumenti/2017/Posebna%20izvestaj Tabanovce-22.12.2017.pdf](http://ombudsman.mk/upload/NPM-dokumenti/2017/Posebna%20izvestaj%20Tabanovce-22.12.2017.pdf))

5.1.1. Recommendations and acting based on given recommendations

The NPM team delivered the Special report on the established conditions and recommendations for the year 2017 to the competent bodies - the Government of the Republic of Macedonia, the Ministry of Interior, the Ministry of Labor and Social Policy and the Center for Crisis Management.

For the assessment of the degree of implementation of the given recommendations in the Special Report, the answers from the Ministry of Interior and the Crisis Management Center are of relevance, because the report itself contains recommendations for the identified inconsistencies related to the manner of their handling.

Review no.40

Review of given recommendations and acting on the base of given recommendations to the Ministry of Interior	
Recommendation	Response to recommendation
The readmission procedures should be conducted in accordance with the legal procedure, recorded in the official records and documentation, and the persons covered by the readmission procedure should be informed in a timely manner about the implementation thereof.	No specific response from the Ministry of Interior was given to the specific recommendation.
Members of the Ministry of Interior should allow entry for all refugees/migrants who will express a need to stay in the Center, and if for some reason this is not possible, these persons should be treated in accordance with legally prescribed procedures for dealing with refugees and foreigners and not allow these persons to be unregistered and left "on their own".	All detected illegal migrants are registered and are provided with residence and accommodation in the Center.



Review of given recommendations and acting on the base of given recommendations to the Ministry of Interior	
Recommendation	Response to recommendation
Consistent keeping of the records books, because the records should express the factual situation, and not give a “false picture” of the actions and events performed.	An inspection of the requested records books is allowed.
When implementing deportations, the legally prescribed procedure should be observed, adequate records should be kept for the same, and the persons covered by the deportation should be informed in a timely manner about the deportation to be carried out.	No answer.
Restriction on the freedom of movement of persons is unacceptable, especially when they are accommodated on their own initiative in the Reception Center for refugees/migrants, and for this reason we recommend that this practice should be urgently discontinued.	The recommendation will be implemented in coordination with the Regional Crisis Management Center-Kumanovo and the Ministry of Labor and Social Policy, as competent institutions for managing and administering the Reception Transit Center Tabanovce.

Review no.40

Review of given recommendations and acting on the base of given recommendations to the Center for Crisis Management	
Recommendation	Response to recommendation
To stop the practice of disrupting the work of the Ombudsman - National Preventive Mechanism, and the representatives of the authorities to ensure complete and unhindered access to all information, including videos related to the treatment of migrants/refugees.	Up to the preparation of the Annual Report, no answer was received From the Center for Crisis Management on the given recommendations in the Special Report from the visit to the Reception Transit Center Tabanovce, despite the delivered Urgency by the National Preventive Mechanism.



5.2

RECEPTION TRANSIT CENTER VINOJUG



In the course of 2017, the NPM team concluded that the number of refugees/migrants in the Reception Transit Center “Vinojug” was steadily decreasing. In this sense, if at the beginning of the year the number of persons ranged from 30 to 40, at the end of the year only 3 people were accommodated in the Center.

The NPM concluded that this year also the problem remained unresolved with the group deportations of the refugees/migrants to the country from which the persons entered irregularly into the territory of the Republic of Macedonia, without any formalities and without respecting the envisaged legal procedures.

The treatment and the situation with the refugees/migrants in the Reception Transit Center Vinograd are at a significantly better level compared to 2016. Namely, with the exception of the cases of group deportations, carried out by the Ministry of Interior, all other recommendations contained in the Special Reports for the RTC Vinograd for 2016 have been implemented.

For the conducted visits during 2017 in the RTC “Vinojug” a Special Report was prepared, which contains the findings in the current year and the recommendations given to the competent authorities (link to the Special Report on PTC Vinograd:

<http://ombudsman.mk/upload/NPM-dokumenti/2017/Posebne%20izvestaj-Vinograd-22.12.2017.pdf>)



5.2.1. Recommendations and acting based on given recommendations

The special report was sent to the Government of the Republic of Macedonia, the Ministry of Interior, the Ministry of Labor and Social Policy and the Center for Crisis Management.

Having in mind the noted negative remarks in the Special Report on PTC Vinojug for 2017, the answer from the Ministry of Interior is of relevance for estimation of the level of implementation of the given recommendations.

The recommendations given in the report for 2016 have been fully implemented and they have been followed, which is also noted in the Special Report of the NPM for the Reception Transit Center Vinojug - Gevgelija for 2017

Review no.41

Review of given recommendations and acting on the base of given recommendations to the Ministry of Interior	
Recommendation	Response to recommendation
The Ombudsman - National Preventive Mechanism strongly condemns the group deportation of refugees/migrants in neighboring countries without implementing any legal procedures and formalities, and considers that such treatment constitutes a gross violation of human rights, guaranteed above all by the 1951 Convention on the Status of Refugees, as well as violation of human integrity and dignity.	The Ministry of Interior acts in accordance with national and international legislation in the performance of its competencies.



5.3

PI RECEPTION CENTER FOR ASYLUM SEEKERS- VIZBEGOVO



From the visits conducted at the Reception Center for asylum seekers, the NPM team concluded that the number of persons retained in the Center was significantly reduced compared to 2016. Namely, during the whole year of 2017, the number of asylum seekers in the Center was around 10 persons.

From the visits in the course of 2017, the NPM concluded that the Reception Center for asylum seekers lacks employees of certain profiles, and the visitation of a doctor of the Reception Center only twice a week is insufficient for the provision of health care to the asylum seekers.

Also, the NPM has identified damage to the inventory in the accommodation rooms and lack of a quarantine room.

This year again, food remains one of the more serious problems, considering that it does not satisfy the needs of the people accommodated in the Center qualitatively and quantitatively.

The remarks noted during the visits to the Reception Center for asylum seekers were contained in the Special Report, submitted to the competent authorities (link to the Special Report on the RC for Asylum Seekers - Vizbegovo: <http://ombudsman.mk/upload/NPM-dokumenti/2017/Poseben%20izvestaj-Vizbegovo-28.07.2017.pdf>)

5.3.1. Recommendations and acting based on recommendations

The special report on the visits of the Reception Center for asylum seekers - Vizbegovo was submitted to the Reception Center for asylum seekers - Vizbegovo and the Ministry of Labor and Social Policy.



Review no.42

Review of given recommendations and acting on the base of given recommendations to the Ministry of Labor and Social Policy	
Recommendation	Response to recommendation
The Act on Systematization and Organization of Job Positions in the Reception Center should include a job position for a social worker and a lawyer.	Up to the preparation of the Annual Report no answer was received from the Ministry of Labor and Social Policy on the given recommendations in the Special Report from the visit to the Reception Center for Asylum Seekers - Vizbegovo, despite the submitted Urgency by the National Preventive Mechanism.

Review no.43

Review of given recommendations and acting on the base of given recommendations to the Reception Center for Asylum Seekers	
Recommendation	Response to recommendation
The Act on Systematization and Organization of Job Positions in the Reception Center should include a job position for a social worker and a lawyer.	The institution is negotiating with the Ministry of Labor and Social Policy in the direction of additional employments.
Repair the damaged inventory in the accommodation facilities and the number of beds in one room to be in accordance with the minimum envisaged standard for squaring per person (4m ² per person), with the possibility not to accommodate more than 5 people at a time in one room.	The accommodation facilities have been renovated with a donation from the Danish Refugee Council. The recommendation not to accommodate more than five persons in one room will be fully observed by the Institution.
Taking urgent measures to improve the quality and quantity of food distributed to asylum seekers.	The institution is negotiating with the MoLSP in terms of terminating the contract with the current food supplier and concluding a contract with a new supplier. In the meantime, in cooperation with donors, food additions are being included to meet the needs of asylum seekers.



Review of given recommendations and acting on the base of given recommendations to the Reception Center for Asylum Seekers	
Recommendation	Response to recommendation
Designate a separate quarantine room.	Preparatory activities are underway in the Institution to adjust a room in the administrative building, which will serve as quarantine.
Provide more frequent and multiple-hour attendance of a doctor at the Center and mandatory medical examinations of all new asylum seekers within 24 hours of the reception in the Center, and if the asylum seeker is admitted to the institution during a public holiday or weekend, the medical examination should be performed the first following working day after admittance.	The doctor is present at the Institution twice a week and, if necessary, three times. A mandatory medical examination is planned to be carried out within 24 hours from the reception of new asylum seekers.

5.4

RECEPTION CENTER FOR FOREIGNERS - GAZI BABA



From the visits made to the Reception Center for Foreigners during 2017, the National Preventive Mechanism concluded that the number of persons accommodated in this Center throughout the year did not exceed more than 10 persons.



One of the most serious problems the Reception Center for foreigners is still facing is the illegal detention of persons in the Center. Namely, although with reduced intensity, the practice continues to detain persons in the Center with decisions of the Ministry of Interior for the purpose of determining their identity, despite the fact that only the court is competent to adopt a decision for detention on that basis.

Among the most characteristic events in the Center, encountered during 2017 is the case when during one of the visits the NPM faced an attempt by officials to cover up the detention of foreign nationals and to hinder the performance of the NPM's assignment.

One of the main complaints of detainees in the Reception Center is the lack of information regarding the duration and reasons for their detention in the Center, and the problems with the lack of an interpreter and the inability of the detainees to exercise their right to walk outside the premises are still present.

A special report was prepared for the established conditions in the Reception Center for foreigners during 2017 (a link to the Special Report on the RC for Foreigners - Gazi Baba:

<http://ombudsman.mk/upload/NPM-dokumenti/2017/Poseben%20izvestaj-Gazi%20Baba-26.12.2017.pdf>)

5.4.1. Recommendations and acting based on given recommendations

A special report with the proposed recommendations for the findings in the Reception Center for Foreigners - Gazi Baba was submitted to the concerned authorities - the Ministry of the Interior and the Reception Center for Foreigners - Gazi Baba.



Review no.44

Review of given recommendations and acting on the base of given recommendations to the Reception Center for Foreigners	
Recommendation	Response to recommendation
Not to admit and detain persons in the Center on the basis of Decisions adopted by the Ministry of Interior for the purpose of determining their identity, because in the house rules of the Reception Center itself it is stated that the placement of a foreigner whose identity can not be determined is done based on a court decision.	Until the preparation of the Annual Report, no answer was received from the Reception Center for Foreigners on the given recommendations in the Special Report from the Visit to the Reception Center for Foreigners, despite the delivered Urgency by the National Preventive Mechanism.
Any admittance of persons in the Center, even for short-term detention, must be registered and recorded in the appropriate records kept in the Center.	
At the request of the NPM team, officials should at any time provide accurate and timely information on the number of detainees in the Center.	
Allow detainees in the Center to have unobstructed access to the procedure for recognizing the right to asylum at the moment they request it.	
Ensure that the detainees are provided with the right to walk uninterruptedly, in the manner provided for in the House Rules of the Reception Center.	
Psycho-social support should be provided to the detainees through continuous contact with a social worker, who will keep a proper record of it.	



Review no.45

Review of given recommendations and acting on the base of given recommendations to the Ministry of Interior	
Recommendation	Response to recommendation
Immediately stop the practice of the Ministry of Interior to enact decisions on the detention of persons in the Reception Center for Foreigners for the purpose of determining their identity, because the only competent body that can order detention of foreigners on this basis is the appropriate court.	Answer - Detention decisions enacted by the Ministry of Interior are based on the provisions contained in the Law of Foreign Nationals. (The response of the Ministry of Interior represents non-acceptance of the given recommendation by the Ombudsman - National Preventive Mechanism)
Take specific measures and activities for examining the legality of the work in the Center, through internal controls that will aim, among other things, to investigate whether adequate and timely registration of all persons kept in the Center is done.	Specific measures and activities will be undertaken to examine the legality of the work of the Center for Foreigners through the establishment of internal controls, and control and supervisory activities will be undertaken.
Take specific measures and activities for the quickest possible dislocation of the Center to another appropriate facility.	There are ongoing activities for building a new facility for the Reception Center for Foreigners.



Annex 1: Opinion on the revised Standard Operating Procedure for the Treatment of Persons Restricted to the Right to Freedom of Movement



Република Македонија
НАРОДЕН ПРАВОБРАНИТЕЛ
Republika e Maqedonisë
AVOKATI I POPULLIT
Republic of Macedonia
O M B U D S M A N

To:
Ministry of Interior of the Republic of Macedonia
- Strategic planning, standards and quality
control Unit in the PSB –

Subject: Opinion on the revised Standard Operating Procedure for the Treatment of Persons Restricted to the Right to Freedom of Movement

Dear Sirs/Madams,

The Ombudsman - National Preventive Mechanism (O-NPM) welcomes the activity for revision of the Standard Operating Procedures for the treatment of persons whose rights to freedom of movement are restricted (No. 38-909/2 of 09.06.2014) and the engagement for this purpose of an international consultant in international law - Dr. Julia Kozma, who prepared a Summary of the Standard Operating Procedures with specific recommendations.

At the meeting for review of the Summary prepared by the international consultant, the representatives of the National Preventive Mechanism team had the opportunity to get acquainted with it, as well as to give their suggestions and opinions regarding the Standard Operating Procedures.

The Ombudsman-National Preventive Mechanism, following the inspection in the submitted revised version of the Standard Operating Procedures, appreciates the fact that a large part of the recommendations addressed during the meeting and contained in the Summary are accepted and contained in the delivered text.

The Ombudsman also shares the view that the Standard Operating Procedures constitute a well-prepared and concise document, in many aspects suitable for its direct application, and at the same time expresses satisfaction with the requested opinion in this phase of auditing and harmonization.



As a document that we consider to be of particular practical value in the implementation of the various procedural steps by the police officers, and in order to emphasize certain guarantees that would minimize the risks of possible acts of humiliating, degrading or other inhuman treatment of the persons deprived of their freedom or detained persons, hereinafter follow some of the recommendations that we think should be taken into account in the harmonization of the final version of the text.

Recommendations:

In item **2.3.2 Deprivation of freedom**, the first sentence of the second paragraph: "The person deprived of freedom must immediately be acquainted with the reasons for deprivation of freedom and instructed about the rights, immediately or when conditions are created for the same." to be supplemented with the words "in a language that the person understands", as provided for in Article 69 of the Law on Criminal Procedure, to which Article 158 paragraph 4 of the same law refers..

In item **2.5 Use of means of coercion in the application of police powers limiting the right to freedom of movement in accordance with the Law on Police paragraph 4 of Article 80 of the Law on Police** should also be emphasized, which clearly states that „*The use of means of coercion for the purpose of extorting a confession or a statement is prohibited*".

Also, the Ombudsman - National Preventive Mechanism considers that the part of this item (2.5), which recommends ***in every arrest/detention of a person from the place of detention/deprivation of freedom to the Police Station, the person should be handcuffed***, should be deleted. Such a recommendation is inadequate and should in no case be part of the Standard Operating Procedures since the assessment of the use of means of coercion, including the means of restraint (handcuffs), should be evaluated in each case individually, depending on the circumstances and in accordance with the positive legal regulations that stipulate under what conditions they may be used. This, all the more so as the Rulebook on the manner of performing police affairs stipulates that a certain category of persons (younger than 16 years, visibly pregnant women, disabled persons and heavy invalids) should not be handcuffed as a rule, except in certain exceptional situations.

In item 3. **Arrest with an order issued by a court**, ***the provision from Article 46-a of the Law on Police should be included, which stipulates that the arrest on the basis of a warrant or an order issued by a competent court "shall not be enforced in cases when it is reasonably assumed that arrest will significantly impair the health of the person to be arrested, as well as in cases when a person performs works which must not be interrupted until an appropriate replacement is provided"***.

Also, in the Standard Operating Procedures, whether it will be in item 3 or further in the text, ***the provision of Article 21 of the Rulebook on the manner of performing police affairs should be included, which cites:***

"When during the arrest of a person it is determined that there are disabled persons or minors in his/her place of residence, for whom he/she has taken care of, and after his/



her arrest there will be no other person for their further care, the police officer will take the necessary measures to ensure the presence of a competent person and will immediately notify the competent social services body.

If during the arrest of a person it is determined that he owns livestock or poultry for which he/she has taken care of, and after his/her arrest there will be no other person for their further care, the police officer will take the necessary measures for securing the property and immediately inform the competent state organ."

Compliance with this provision is of particular importance in the direction of minimizing the psychological pressure on the detained person, which otherwise could have a negative effect in order to force a particular confession or other statement.

In item **3.1 Actions of police officers when detaining a person with an order with a deadline**, the recommendations of the engaged international consultant could be inserted with a **NOTE** that police officers, when acting on the orders of the court, should always try to take the person directly into court (or in a particular prison or detention facility specified in the order, before the trial), and in case this can not be performed without the risk of obstructing the order, the detention in police stations should be as short as possible. Such police detention, no matter how short, must never be arbitrary. In other words, if a person can be safely taken to court during working hours, there is no justification for arresting him at night or early in the morning, which will force him to remain in the police until the opening of the court, even if it is just a couple of hours. .

In item **5 Procedures used for recording detainees and further treatment of the persons at the police station**, it is necessary to insert somewhere **in the text the provision from Article 104 of the Law on Misdemeanors** which refers to "Notification on detention due to detention" where it is envisaged that:

"The Ministry of the Interior, upon a request of the detained person, is obliged to inform his/her family about the detention. At the request of the detained person, his employer, that is, the diplomatic mission of the foreign country, shall be informed, and if it is necessary to take measures for the protection or care of the children and other family members that the detained person is responsible of, the competent center for social work shall be informed as well.

For the detention of a person from the military personnel, the military unit, that is, the unit to which the military person belongs shall be informed ex officio."

In **sub-item 5.2.4** in the part referring to search of persons, it could be pointed out that the search that involves stripping parts of clothes should always be performed by a person of the same sex, while the search of the intimate parts of the body or body cavities should always be performed by a medical person.

At the end of **sub-item 5.2.5** the recommendation made by the international consultant that ***„If the room used for detention is not equipped with a communication system or a light signal system, a police officer must continuously stay in close proximity in order to hear a call"***. should be added. This kind of action is extremely important because checks at regular intervals of 30 minutes during the day, that is, of an hour during the night, may be delayed and result in possible fatal consequences



in emergency situations.

In **sub-item 5.2.6** in the section where it is foreseen "If necessary, medical assistance for the detained person is provided in such a way that:" (on pages 26 and 27) there is no reason why not to enter the following recommendation with a dash: ***„- If a detained person requests a doctor of his choice, it can be approved if it does not represent an obstacle to order and peace or to security. Such consultation shall be carried out at the sole cost of the detained person."***

In item **5.4 Rules and Practice relating to the provisions of basic needs such as food and water for detained persons**, the first part concerning the right of a person deprived of freedom to use the toilet needs to be supplemented in terms of **emphasizing the right to dignity and privacy**. Namely, our opinion (which we pointed out in relation to the originally submitted text of these SOPs in 2014) is that the right to privacy does not allow the presence of police officers while the person is in the toilet, having in mind the privacy and the need to protect human dignity, with the exception of prior risk assessment when there is a need to protect the personal safety of both the detained person and the security of the police officers.

In the part referring to food, we believe that the given recommendations by the engaged consultant should be fully accepted and in this context it should be added that: ***„The detained person will be offered food, including one hot meal per day, in appropriate time periods."*** We also believe that the financing of food should primarily be provided from the budget of the Ministry of the Interior (or from the official means of the police station), and only if the detained person has special wishes that exceed the offered, and if he is willing to pay for it, or if the family wants to bring him food, that should be an alternative and an additional option. In addition to taking into account religious needs, it is necessary to emphasize that the food will also be in accordance with the special needs of the person (for example, if a person is diabetic or the like).

In item **5.5 Rules and Practice concerning the Treatment of Children**, on page 35, before the sentence *„[A child must not be kept in the same room with an adult]"*, **it should be emphasized that the detention of a child is carried out in premises appropriate for the detention of a child of his age, different from the premises for detention of adults** (in accordance with Article 13 of Article 116 of the Law on Justice for Children).

Also, on page 35, after the sentence *„[During the conversation, the police officer should inform the child and his/her parent or guardian of the rights of the child in the police procedure."* it should be added that ***„The conversation with the child is conducted in special rooms suitable for conversation with a child of his/her age and can last, if the child accepts the conversation, for a maximum of four hours. If necessary, the conversation may, in agreement with the child, continue on another day or days."*** (In accordance with paragraph 5 of Article 116 of the Law on Justice for Children).

In item **5.8 Rules and practice regarding the detention of foreign nationals** it is necessary to introduce the legal provisions referring to the procedure of detaining foreigners whose identity cannot be determined. In this sense, it is necessary to include



Article 132 of the Law on Foreign Nationals which stipulates that:

“If a foreigner refuses or is unable to prove his identity, the authorized officials of the Ministry of Interior may retain the foreigner in order to determine his identity, but not more than 12 hours.

If the identity of the foreigner cannot be determined within the deadline stipulated in paragraph 1 of this Article, the authorized officials of the Ministry of Interior shall submit a request for initiation of a misdemeanor procedure to the competent court.

On the basis of the decision of the court with which the foreign national is assigned a measure “detaining a foreign national in the Reception Center”, the authorized officials of the Ministry of Interior shall keep the foreigner in the Reception Center.”

The provisions of the Law on Misdemeanors (Article 101) are given in this direction.

The Ombudsman particularly emphasizes the detention of a foreigner in order to establish his identity because, in spite of the clearly stipulated provisions that only the court is competent to determine the detention of a foreigner in the Reception Center, in practice the Ombudsman is still faced with Decisions adopted by the Ministry of Interior with which foreign citizens are placed in the Reception Center for Foreigners in Gazi Baba for the purpose of determining their identity, which is unacceptable.

OMBUDSMAN

Ixhet Memeti

Annex 2: Review of the visits and activities of the National Preventive Mechanism in 2017

- preventive visits
- visits within a project
- domestic and international activities

Date	Place	Activity	Participants	Organizer
13.02.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
07.03.2017	Skopje	Visit to the Reception Center for asylum seekers - Vizbegovo	NPM	NPM
07.03.2017	Skopje	Visit to the Reception Center for Foreigners - Gazi Baba	NPM	NPM
09.03.2017	Gevgelija	Visit to RTC Vinograd	NPM	NPM
10.03.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
14.03.2017	Skopje	Visit to the Reception Center for asylum seekers - Vizbegovo	NPM	NPM
14.03.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
20.05.2016	Tabanovce	Regular visit to the Temporary transit center Tabanovce	NPM	NPM
21.03.2017	Skopje	Regular visit to PC Aerodrom	NPM	NPM
23.03.2017	Skopje	Regular visit to PC Dracevo	NPM	NPM
29.03.2017	Kumanovo	Regular visit to PC Kumanovo	NPM	NPM
04.04.2017	Skopje	Visit to the reception center for foreigners – Gazi Baba	NPM	NPM
05.04.2017	s.LoJane and Vaksince	Visit to the border area - LoJane and Vaksince	NPM	NPM
11.04.2017	Makedonski Brod	Regular visit to PC Makedonski Brod	NPM	NPM
25.04.2017	Skopje	Visit to the Penitentiary and Correction Institution Prison Skopje	NPM	NPM
05.05.2017	Sopot	Regular visit to the PS for Sopot	NPM, Legis, Macedonian Association of Young Lawyers	NPM
05.05.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
17.05.2017	Skopje	Visit to Reception center for asylum seekers – Vizbegovo (Kosovo refugees)	NPM	NPM
23.05.2017	Kumanovo	Follow-up visit to the Penitentiary Correction Institution Prison Kumanovo	NPM, Association of Psychiatrists of the Republic of Macedonia, Chamber of Psychologists	NPM
25.05.2017	Belgrade, Serbia	Workshop on "Dealing with persons with mental disabilities in institutions"	NPM, Regional Ombudsman Institutions	Ombudsman of Serbia
31.05.2017	Skopje	Workshop on "The situation with refugees found in the Republic of Macedonia from the period of the Kosovo crisis"	NPM, Ministries, judicial authorities, non-governmental sector and international organizations.	O-NPM and UNHCR
16.06.2017	Strumica	Workshop on the "Role of Municipalities in the Process of Refugee Integration in the Republic of Macedonia"	NPM, municipalities in RM, NGOs and MLSP	Macedonian Association of Young Lawyers
22.06.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
05.07.2017	Podgorica, Montenegro	Conference on the topic "Health care in prisons and psychiatric institutions"	NPM, regional NPM representatives	Ombudsman of Montenegro and Council of Europe
11.07.2017	Skopje	Visit to the Reception Transit Center for Foreigners - Gazi Baba	NPM	NPM
11.07.2017	Skopje	Reception center for asylum seekers - Vizbegovo	NPM	NPM
18.07.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM

19.07.2017	Bitola	Regular visit to RC Bitola	NPM, Macedonian Association of Young Lawyers	NPM
19.07.2017	Bitola	Regular visit to the Nursing Home "Sue Ryder"	NPM in cooperation with several associations	NPM
26.07.2017	Gevgelija	Visit od RTC Vinojug	NPM	NPM
26.07.2017	Valandovo	Regular visit to RC Valandovo	NPM	NPM
27.07.2017	Sveti Nikola	Regular visit to RC Sveti Nikola	NPM	NPM
28.07.2017	Skopje	Visit to the Reception Center for asylum seekers - Vizbegovo	NPM	NPM
14.08.2017	Bristol, Great Britain	Training - summer school on the topic "Application of Mandela Rules for Monitoring Penitentiary Rehabilitation Institutions"	NPM, NPM representatives from several countries	International Center for Penal Reforms
25.08.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
13.09.2017	Ohrid	Conference on the topic "The role of municipalities in the process of integration of refugees in the Republic of Macedonia"	NPM, municipalities in RM, NGOs and MLSP	Macedonian Association of Young Lawyers
14.09.2017	Veles	Regular visit to RC Veles	NPM, Association for Criminal Law and Criminology	NPM
22.09.2017	Vinica	Regular visit to RC Vinica	NPM	NPM
26.09.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
28.09.2017	Gevgelija	Visit to RTC Vinojug	NPM	NPM
29.09.2017	Kicevo	Regular visit to RC Kicevo	NPM, Macedonian Association of Young Lawyers	NPM
29.09.2017	Ohrid	Follow-up visit to RC Ohrid	NPM	NPM
17.10.2017	Brussels, Belgium	Presenting research on the right of migrants to access information	NPM, NPM representatives from several European countries, human rights institutes	ENNHRI and the Council of Europe Commissioner for Human Rights
18.10.2017	Casablanca, Morocco	Conference on the topic "Deontology of the security forces and rights of migrants during their migration movements"	NPM, representatives of ombudsman institutions around the world and representatives of several non-governmental and international institutions	Association of Ombudsmen of the Mediterranean
18.10.2017	Gevgelija	Visit to RTC Vinojug	NPM	NPM
27.10.2017	Sarajevo, Bosnia and Herzegovina	Conference on "Economic and Social Rights of Forcefully Displaced Persons from the Conflict in the Former Yugoslavia"	NPM, representatives of the Ombudsman institutions, state bodies, international organizations	Council of Europe
28.10.2017	Skopje	Visit to the Reception Center for Foreigners - Gazi Baba	NPM	NPM
31.10.2017	Beirut, Lebanon	Workshop on "Monitoring Immigration Detention"	NPM, NGOs, international associations	UNHCR and Council of Europe
01.11.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
02.11.2017	Gevgelija	Visit to RTC Vinojug	NPM	NPM
20.11.2017	Skopje	Conference on the topic "Integration of Kosovo refugees, durable solutions and voluntary return"	NPM, NPM, representatives of the NP from the region, state bodies, judicial authorities of non-governmental and international organizations	O-NPM and UNHCR
21.11.2017	Skopje	Visit to the Reception Center for Foreigners - Gazi Baba	NPM	NPM
22.11.2017	Skopje	Visit to the Reception Center for Foreigners - Gazi Baba	NPM	NPM
23.11.2017	Strumica	Regular visit to the Prison in Strumica	NPM in cooperation with several associations	NPM
24.11.2017	Strumica	Regular visit to RC Strumica	NPM, Macedonian Association of Young Lawyers	NPM
28.11.2017	Brussels, Belgium	A workshop on "Alternatives to detention in the context of the refugee crisis"	NPM, NGOs and representatives of the UNHCR	UNHCR and the European Union



01.12.2017	Ohrid	Workshop on "Standard operating procedures for dealing with victims of traf-ficking in human beings"	NPM, MLSP, MILA, experts	Macedonian Association of Young Law-yers
12.12.2017	Belgrade, Serbia	Conference on "Methodol-ogy for conducting visits to places of deprivation of freedom"	NPM, Regional Ombudsman in-stitutions and in-ternational or-ganizations	Ombudsman of Serbia and Council of Europe
13.12.2017	Skopje	Workshop on "Strategy for Integration of Refugees and Foreigners 2017-2027"	NPM, state bod-ies, NGOs and international or-ganizations	MLSP and UNHCR
14.12.2017	Prague, Czech Re-public	European Forum of NPM	NPM, NPM from several Europe-an countries	Czech Om-budsman
18.12.2017	Madrid, Spain	Study visit to the working group of AOM	NPM, partici-pants of the working group AOM, repre-sentatives of non-governmental organizations international organizations.	Ombudsman of Spain
21.12.2017	Negorci	Regular visit to the PHI Psychiatric Hospital – Negorci	NPM in cooperation with several associations	NPM
22.12.2017	Gevgelija	Visit to RTC Vinojug	NPM	NPM
26.12.2017	Tabanovce	Visit to RTC Tabanovce	NPM	NPM
26.12.2017	Skopje	Visit to the Reception Center for Foreigners - Gazi Baba	NPM	NPM

Annex 3: List of external experts

1. Zoran Gavriloski - Lawyer
2. Prof.Dr. Trpe Stojanovski - Association for Criminal Law and Criminology
3. Ass. Dr. Goran Pavlovski - Association of Forensic Medicine at the Macedonian Medical Association of the Republic of Macedonia
4. Ass. Dr. Vladimir Iliovski - Association of Social Workers of the City of Skopje
5. Dr. Vladimir Ortakov - Association of Psychiatrists of the Republic of Macedonia
6. Prof. Dr. Dimitar Bonevski - Association of Psychiatrists of the Republic of Macedonia
7. Snezana Georgievska - Association of Psychiatrists of the Republic of Macedonia
8. Dr. Andromahi Naumovska - Chamber of Psychologists of the Republic of Macedonia
9. Margarita Nikolovska - Chamber of Psychologists of the Republic of Macedonia
10. Maria Kalinikova - Association of nurses, technicians and obstetricians
11. Vineta Dimoska - Association of nurses, technicians and obstetricians
12. Jasmina Golubovska - Citizens' Association Legis
13. Zoran Drangovski - Macedonian Association of Young Lawyers
14. Martina Martinova - Macedonian Young Lawyers Association
15. Nazif Avdi - Macedonian Young Lawyers Association
16. Mitko Kiproviski - Macedonian Association of Young Lawyers
17. Arben Gudachi - Macedonian Association of Young Lawyers