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

**OMBUDSMAN
NATIONAL PREVENTIVE MECHANISM**

ANNUAL REPORT 2019

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Abbreviations

APT	Association for the Prevention of Torture
LES	Law on Execution of Sanctions
PHI	Public Healthcare Institution
CPH	Correctional – Penitentiary Home
CPI	Correctional – Penitentiary Institution
ECPT	European Committee for the Prevention of Torture
MOI	Ministry of Interior
MLSP	Ministry of Labour and Social Policy
O	Ombudsman
O - NPM	Ombudsman - National Preventive Mechanism
NPM	National Preventive Mechanism
UN	United Nations
OPCAT	Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
PS	Police station
PSFBC	Police station for border control
PSOGC	Police station of general competence
TTC	Temporary transit centre
DEA	Directorate for Execution of Sanctions
UNHCR	UN High Commissioner for Refugees

Dear all,

In front of you is the ninth Annual Report of the Ombudsman - National Preventive Mechanism, which confirms the continuous efforts for a comprehensive combat against torture and zero tolerance, in case of its existence.

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

The established conditions and the recommendations addressed to the competent authorities so as to overcome the identified shortcomings are the result of a total of 22 preventive visits, which the team of the National Preventive Mechanism conducted in the course of 2019. The established practice of engagement of experts from different profiles and institutions during these visits, contributed to providing a multidisciplinary approach to the work of the National Preventive Mechanism and further strengthening of its capacities.



OMBUDSMAN

Ixhet Memeti

A handwritten signature in blue ink, which appears to be 'Ixhet Memeti'. The signature is stylized and cursive, written over a light blue circular watermark or seal.

1

AUTHORIZATIONS AND ACTIVITIES OF THE NATIONAL PREVENTIVE MECHANISM

Mandate and competencies of the National Preventive Mechanism

The National Preventive Mechanism derives its mandate and competencies from the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and from the Law on the Ombudsman.

Pursuant to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), the National Preventive Mechanism has a competence:

1. to regularly examine the treatment towards persons deprived of liberty in places of deprivation of liberty as defined in Article 4, in order to strengthen, if necessary, their protection from torture and other forms of cruel, inhuman or degrading treatment or punishment;
2. to make recommendations to the relevant authorities for the purpose of improving the treatment and conditions of persons deprived of their freedom and preventing torture and other cruel, inhuman or degrading treatment or punishment, taking into consideration the relevant United Nations norms;
3. to submit proposals and observations regarding the existing or the draft legislation.

In order for the National Preventive Mechanism to implement its competencies in practice, OPCAT in Article 20 gives authorizations to the NPM for:

1. access to all information relating to the number of persons deprived of their freedom as defined in Article 4, as well as to the number of places and their locations;
2. access to all information relating to the treatment of such persons, as well as to the conditions of their deprivation of liberty;
3. access to all places of deprivation of liberty and their installations and facilities;
4. the possibility of unsupervised conversations with persons deprived of their freedom, without witnesses, either in person or with an interpreter, if deemed necessary, as well as with any other person for whom the national preventive mechanisms have an opinion that they may provide relevant information;
5. freedom to choose the places he wants to visit and the people he wants to talk to;
6. freedom to contact the Subcommittee for the Prevention of Torture, to send information to it and to hold meetings with it.

In 2008, the Republic of North Macedonia ratified the Optional Protocol to the Convention against Torture and the Law on Ratification designated the Ombudsman to act as a National Preventive Mechanism, thus assuming the obligation to comprehensively combat torture and have zero tolerance in the event of its existence.

The Ratification Law also stipulates that in cooperation with and with the prior consent of the Ombudsman, NGOs registered in the Republic of North Macedonia and organizations with the status of humanitarian organizations in the Republic of North Macedonia may take over some of the competencies of the National Preventive Mechanism.

Consequently, in 2009 by the amendments to the Law on the Ombudsman, a special department was established within the Ombudsman, a National Preventive Mechanism, the main task of which is to prevent torture and other cruel, inhuman or degrading treatment or punishment, commencing its activities as of March 2011.

In order to establish a system of visits the primary function of which is to prevent torture, the National Preventive Mechanism also prepared a special Rulebook on the manner of conducting prevention of torture and Methodology on the manner of conducting regular and subsequent preventive visits to places where persons deprived of their freedom are or may be accommodated.

In order to successfully implement its powers, and in accordance with the Rulebook on the manner of conducting prevention of torture and other cruel, inhuman or degrading treatment or punishment, adopted by the Ombudsman, the National Preventive Mechanism uses technical aids for the purpose of de-

termining and memorizing the conditions in which persons deprived of their freedom are accommodated.

Organizational set-up and budget of the National Preventive Mechanism

1. The National Preventive Mechanism operates within the Ombudsman Institution as a separate team with clearly defined competencies for actions in accordance with the Optional Protocol to the Convention against Torture.
2. The National Preventive Mechanism functions as a team composed of one state counsellor and two torture prevention counsellors, and in order to provide a multidisciplinary approach in conducting preventive visits it uses external associates, that is, experts from different fields and representatives of professional associations and civil society organizations with which it has concluded memoranda on cooperation.
3. As part of the multiannual cooperation with the Office of the High Commissioner for Refugees, some of the visits to the places of accommodation and detention of migrants and refugees were conducted by temporarily engaged persons implementing the project "Improving of the legal protection system relating to asylum and statelessness."
4. The National Preventive Mechanism, as a separate team, has a special budget item within the budget of the Ombudsman at its disposal, through which it directly decides on its needs and thus ensures operational and functional independence in its actions.
5. During the reporting year, the NPM team had a budget of 800,000.00 denars, which included funds for hiring external associates, as well as the costs for publishing the annual report from the previous year.
6. At the end of 2019, the NPM team for the implementation of activities in 2020 designed a budget framework in the amount of 1,225,000.00 denars, and the authorities approved 675,000.00 denars.
7. The budget approved in this way is the lowest compared to the budgets of the national preventive mechanisms in the region, due to which the Ombudsman still maintains that the exercise of the competencies of the National Preventive Mechanism requires additional

personnel, material and financial resources to be provided from the Budget of the Republic of North Macedonia.

Implemented preventive visits in 2019

The Ombudsman-National Preventive Mechanism, within its mandate and competencies, during 2019 continued to implement and put into action the obligations arising from the Optional Protocol to the United Nations Convention against Torture and the commitments to combating torture and zero tolerance, in case of its existence.

In this regard, during the reporting year, the National Preventive Mechanism conducted a total of 22 regularly planned visits in accordance with the work plan and programme and several extraordinary (ad-hoc) visits, in coordination and cooperation with other units within the Ombudsman.

All visits by the team of the National Preventive Mechanism were conducted as unannounced, of which 13 to police stations, 3 visits to psychiatric hospitals, 4 visits to penitentiary-correctional institutions, as well as 2 visits to penitentiary-correctional and educational-correctional institutions for children.

During the conducted preventive visits, external associates were engaged, that is, experts and professionals from the Association of Psychiatrists, the Institute of Forensic Medicine, Criminology and Medical Deontology, the Association of Special Education Specialists, the Association of Social Workers of the City of Skopje, the Association for Criminal Law and Criminology, the Association of Nurses, Technicians and Midwives of the Republic of Macedonia, the Chamber of Psychologists, as well as the Macedonian Association of Young Lawyers. The external associates provided expert and professional approach in analysing the situations, actions and conditions in places of deprivation or restriction of freedom of movement.

NPM prepared special reports with specific recommendations relating to the performed visits and the established conditions, which were submitted to the heads of the institutions and to the relevant ministries in order to undertake measures and activities to eliminate the identified shortcomings.

2

VISITS TO POLICE STATIONS AND ESTABLISHED SITUATIONS

During 2019, the National Preventive Mechanism - NPM conducted a total of 13 preventive visits to police stations (PS), all of which were regular visits. NPM conducted regular visits to police stations of general competence: PS Karposh, PS Bit Pazar, PS Centar, PS Gostivar, PS Debar, PS Kavadarci, PS Kratovo, PS Shtip, PS Probishtip, PS Delchevo, PS Radovish, PS Demir Hisar and PS Krushevo.

The visits to the police stations during 2019 were carried out without prior notice by the NPM team, in accordance with the previously determined Annual Programme for conducting preventive visits.

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

During all visits, the NPM team encountered efficient and constructive cooperation by officials and managers in police stations, which provided uninterrupted insight into the complete documentation, inspection of all premises and material facilities available to them, talks with all persons of their choice, in full confidentiality and without any presence or supervision by officials.

The National Preventive Mechanism also expresses a serious concern since although for years it alarms and recommends improvement of the material conditions at police stations, in order to eliminate the potential risks of inhumane and degrading treatment to detainees and persons deprived of their freedom, the conditions remain unchanged to a great extent.

Of particular concern is the fact that the bodies accept the recommendations of the Ombudsman - National Preventive Mechanism, but do not commence their implementation in the practice, mostly because their implementation is associated with providing significant financial resources, which in terms of the mandate of the NPM is unjustified.

At the same time, it was determined that seven of the visited police stations did not envisage or provide special rooms for interrogation and conversation with persons deprived of their liberty, detained and detained persons, and only one police station (PS Gostivar) has adapted premises for conversation with minors, in accordance with the provisions of the Law on Justice of the Child.

In the visited police stations NPM determined the following more serious problems and shortcomings: in 2 of the visited police stations there are no access ramps for people with physical disabilities, in 5 police stations there are no special toilets for the officials and detainees in the police stations, and almost all commanders from the visited police stations complained about problems with the technical and material resources.

Although the NPM received replies from the Ministry of Interior and the commanders of the police stations, with reference to the submitted reports from the conducted visits, the problem with the implementation of the given recommendations and directions for improving the negative situations remains. In this regard, in the responses submitted by the Ministry of Interior and the commanders of the police stations, it was obvious that efforts were being made to improve some states and shortcomings that depend on the police station itself.

The National Preventive Mechanism expresses serious concern that despite the fact that it has been alerting and recommending the improvement of the material conditions in police stations for many years, the situation remains unchanged. It is obvious that the recommendations of the Ombudsman - National Preventive Mechanism, the implementation of which depends on the provision of significant financial resources, remain unrealized with the explanation that funds cannot be provided.

It remains, during its term, that the Ombudsman-National Preventive Mechanism, by conducting consecutive visits to police stations and other places where persons deprived of their freedom or persons with limited freedom of movement, reside, shall continuously monitor the situation in these places, as well as the degree of implementation of the already given recommendations.



2.1

POLICE STATION OF GENERAL COMPETENCE KARPOSH

On March 15, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Karposh**. This is the third visit to this Police Station by the team of the National Preventive Mechanism.

The Karposh Police Station is a police station of general competence within the Sector for Internal Affairs - Skopje (SIA Skopje). The local competence for performing police activities covers the area of the Municipality of Karposh, the total population of this area is about 100,000 inhabitants.

The Police Station of General Competence Karposh is housed in an old building, built in 1971, and last renovated 12 years ago. The location where the Police Station is situated provides easy access to the entire infrastructure of this municipality.

The police station, in addition to the main entrance, has a special entrance for detainees, that is persons deprived of their freedom who are being held at the police station for their interrogation, that is detention. An access ramp has been built at both entrances, which also allows easy access to the offices by people with certain physical disabilities.

From the conversation with the Commander of the Police Station, information was received that regular and continuous trainings are being conducted for the employees on various thematic content in accordance with the Training Programme 2019.

2.1.1. Material conditions

Rooms for interrogation and conversation with persons deprived of their freedom and minors

At the Karposh Police Station there are two rooms for interrogation and conversation with summoned, that is detained, deprived of liberty or detained persons.

The premises are equipped with fixed tables and chairs, video surveillance cameras, and the rights of the detainees, that is, persons deprived of liberty and detained persons are accordingly announced.

The Law on Justice for Children stipulates that conversation with a child is conducted in special premises suitable for conversation with a child of its age, but the NPM team concluded that the Karposh Police Station did not have a separate room for conversation with minors at its disposal.

From the conversation with the shift manager, the NPM team was informed that the conversations with the children are performed in the official offices of the inspectors of juvenile delinquency, while the inspector with whom the conversation was conducted pointed out that most of the conversations with children are performed in the shift manager's office and in exceptional circumstance in their offices, as well.

Detention rooms

The Karposh Police Station has 2 detention rooms, which are used for individual accommodation of detained persons, one of which has an area of 4.7 m², and the second of 5.8 m².

The square surface of the detention rooms is not in accordance with the standards provided in the "Rulebook on general norms and standards that should be met by the detention premises in the police stations of general competence in the SIA in the Public Security Bureau" where it is provided that the floor area has to be 9 m², if the room is intended for the detention of one person, and for each subsequent detained person additional 3 m², as well as the standards of the European Committee for the Prevention of Torture (CPT), which stipulate that "the police premises used for one person staying for more than a few hours should be 7m² in size, 2 m distance in between the walls and 2.5 m in between the floor and the ceiling."

In the detention rooms there is a metal fixed bed, equipped with mattresses and dirty bedding (mattress cover, blanket and pillow).

The rooms are located in the left ground part of the station, and they are separated from the other offices by security iron doors with openings at the top of the doors and at the bottom with security metal parts.

In the detention premises there is a system for calling and communicating of the

detained person with the shift manager in the Police Station, but in one of the rooms this system was visibly damaged, that is, the electrical installation was detached, which could be used as a means of self-harm.

The police station does not possess special rooms for detention of children, as provided for in the Law on Justice for Children, which stipulates that “Authorized officials of the Ministry of Interior keep the child in premises suitable for detention of a child of its age, different from the detention premises for adults.”

In a conversation with the shift manager and the inspector for juvenile delinquency, they pointed out that minors are not detained in detention premises, but in exceptional situations when there is a need for detention, minors are accommodated in one of the meeting rooms, which is located in the immediate vicinity of the shift manager’s room.

Sanitary node

Within the Karposh Police Station there are separate toilets for the detained persons and for the employed officials.

In the part where the detention rooms are located, there are special toilets that are used exclusively by the detained persons. At the moment of the visit, from the inspection of the toilets, NPM concluded that they are functional, with 1 tap and 2 sanitary nodes.

2.1.2. Realization of the rights of the detained persons

The National Preventive Mechanism established that posters in seven languages with the rights of detainees, persons deprived of their liberty and detained persons, except in the hall, are positioned at a visible place in the premises for interrogation and conversation with persons deprived of their liberty and in the office of the shift manager, and in a visible place in the hallway of the Police Station the Code of Police Ethics is placed.

The NPM team was informed by the commander and the shift manager that the detainees and persons deprived of their liberty at the Police Station were also informed about the right to call a defence counsel, to inform a third party about their arrest, that is deprivation of liberty, as well as the right to seek medical care.

The summoned, detained and persons deprived of their liberty, in the conditions when they want to use the right to call a defence counsel, have at their disposal the list of lawyers registered in the Lawyer’s Register issued by the Bar Association of the Republic of Macedonia kept at the Police Station and a separate list with contacts of lawyers who have undergone training for working with children is also kept by the for juvenile delinquency.

The NPM team found out that during each arrest, that is, deprivation of liberty or

detention of a minor, his parents are immediately notified and summoned and a defence counsel is provided. In this context, from the conversation with the officials, the NPM team concludes that the police officers are facing problems in providing representatives from the Centre for Social Work, when needed.

2.1.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are completed neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections. What has been established as a positive practice is that this Police Station conducts a recapitulation of events on a monthly basis, which provides better visibility and insight into the recorded events.

During the inspection of the individual files for the persons deprived of liberty, that is, for detained persons, the team of the National Preventive Mechanism determined that they contain all the necessary documents, they contain all the required information, and from the data one can follow the activities undertaken by of police officers.

From the inspection of the **Book for recording the used means for coercion**, the NPM team determined that during 2019 a total of 9 events of used means of coercion were registered in this book. The last recorded event dates back to February, which on the other hand does not correspond to the actual situation, given the other information collected at the police station during the visit. In addition, from the performed inspection, the NPM team concluded that the most commonly used means of coercion were handcuffs, lever and physical force.

The register of used means of coercion lacks an assessment of the justification of the means of coercion used, and the lack of timely updated data was also defined. In this regard, the NPM team recommends greater diligence in recording the events in this record book.

2.1.4. Recommendations and actions upon recommendations

The Ombudsman - NPM prepared a Special Report on the established conditions of the visit with specific recommendations, which was submitted to the Ministry of Interior, as well as to the Commander of the Police Station Karposh.

In this respect, these are some of the submitted recommendations and responses by the Ministry of Interior and the Commander of PS Karposh.

Review no.1

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response to a recommendation
Urgent measures should be undertaken to eliminate technical defects in the call and video surveillance system at the Karposh Police Station;	No response was received from the Ministry of Interior regarding this recommendation.
Measures should be undertaken for adjustment and equipping of rooms for conversation and detention of children, in accordance with the Law on Justice for Children;	No response was received from the Ministry of Interior regarding this recommendation.

Review no.2

Overview of recommendations given to PS Karposh	
Recommendations	Response to a recommendation
The Commander of the Police Station regarding the technical irregularities in the call and video monitoring system, through the Chief of SIA Skopje, to urgently inform the Sector for General and Common Affairs, requesting the removal of technical malfunctions, in accordance with the Standard Operating Procedures;	Technical irregularities in the call and video monitoring system with a request to eliminate technical malfunctions, in accordance with the standard operating procedures for dealing with persons who are restricted in their right to freedom of movement (in one detention room the call system does not function, and due to a defect in the electronics, the employees of the police station have not had access to video surveillance of the entire facility and the detention premises for a long time). With respect to that situation problem information was drawn up. We would like to inform you that the Sector for Internal Affairs - Skopje, and the Sector for General and Common Affairs at the Ministry of Interior have been notified about it by a reference act, and action is being undertaken thereon.

Overview of recommendations given to PS Karposh	
Recommendations	Response to a recommendation
Adaptation of a separate room for conversation with children, in accordance with the Law on Justice for Children;	<p>Adapting and equipping a separate room for conversation with children, in accordance with the Law on Justice for Children.</p> <p>We would like to inform you that the Sector for Internal Affairs - Skopje, and the Sector for General and Common Affairs at the Ministry of the Interior have been notified about it by a reference act, and action is being undertaken thereon.</p>
Immediately make repairs to the detached electrical installation in the detention premises;	<p>Immediately make repairs to the detached electrical installation in the detention premises.</p> <p>We would like to inform you that the Sector for Internal Affairs - Skopje, and the Sector for General and Common Affairs at the Ministry of the Interior have been notified about it by a reference act, and action is being undertaken thereon.</p>
To urgently improve the hygiene in the detention premises, and the chieftains in the Police Station to introduce a system of regular control over the hygiene and the equipment in the detention premises, in accordance with the Standard Operating Procedures	<p>To improve the hygiene in detention premises, in accordance with Standard Operating Procedures (due to daily detention of persons, it is necessary to maintain the hygiene on a daily basis), but according to the agreement concluded between the Ministry of Interior and the company for cleaning and hygiene services, they are not obliged to maintain the detention premises, for which we enclose a copy of the agreement.</p> <p>In terms of the hygiene, it has been improved, and the Commander of the PS of GC, Karposh, has introduced regular inspections of the hygiene and equipment in the detention premises.</p>



2.2

POLICE STATION OF GENERAL COMPETENCE BIT PAZAR

On March 19, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Bit Pazar**. This is the third visit to the Police Station by the team of the National Preventive Mechanism.

Bit Pazar Police Station is a police station of general competence within the Sector for Internal Affairs - Skopje (SIA Skopje). The local competence to carry out police activities covers the area of the Municipality of Chair. The total population of this area is approximately 64,773 inhabitants (according to the 2002 census, but the current figure is estimated to be higher than the official one, that is, approximately 77,000 citizens).

The Bit Pazar Police Station is housed in a five-storey building, built in 1995. The premises and offices of the Police Station are located on the ground floor and the first two floors, while on the other floors there are official offices of the criminal police, of the special police unit - EPOI "Alfa", and in a separate part of the building the Fire Station is located.

The police station, in addition to the main entrance, has a special entrance for detainees, that is persons deprived of their freedom who are being held at the police station for their interrogation, that is detention. An access ramp has been built at both entrances, which also allows easy access to the offices by people with certain physical disabilities.

From the conversation with the Assistant Commander of the Police Station, information was received that regular and continuous trainings are conducted in PS Bit Pazar, which are attended by the employees of the police station, while more experienced officials hold trainings as mentors.

However, the NPM team, from the information received that all 4 shift managers have been newly appointed, established that it is necessary for them to undergo special thematic training for keeping persons in the Police Station and to be well acquainted with the Standard Operating Procedures for dealing with persons with restricted right to freedom of movement (detained , deprived of liberty, detained persons).

2.2.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

At the Bit Pazar Police Station, there are two rooms for interrogation and conversation with summoned persons, that is detained , deprived of liberty or detained persons.

The rooms are equipped with fixed tables and chairs, video surveillance cameras, and the rights of the detainees, that is, persons deprived of liberty and detained persons are accordingly announced. There are also cupboards in the premises where the forms relating to the undertaken police activities referring to the detained persons, that is, the persons deprived of liberty or detained persons are preserved.

The Law on Justice for Children stipulates that a conversation with a child is conducted in special rooms suitable for conversation with a child of its age, but the NPM team established that the Bit Pazar Police Station does not have a separate room for conversation with minors.

Detention rooms

Bit Pazar Police Station has four individual detention rooms, which are located on the ground floor of the building and are 4.3 m² in size.

The space of the detention premises is not in accordance with the standards provided for in the "Rulebook on the general norms and standards that should be met by the detention premises in the police stations of general competence in the SIA in the Public Security Bureau", as well as the standards of the European Committee for prevention of torture (CPT) which stipulates that "police premises used for one person for a stay of more than a few hours shall be 7m² in size, 2 m in between the walls and 2.5 m in between the floor and the ceiling."

In the premises there is also a system for calling and communicating of the detained person with the shift manager in the Police Station, but it did not function in any of the premises. Namely, this system was visibly damaged, that is, the electrical installation was detached, which could be used as a means of self-harm.

The officials who were interviewed stated that in only two premises persons were detained and the other two premises were not used due to a malfunctioning video surveillance system.

The hygiene in the rooms was extremely low, and in one of the rooms under the bed there was bedding that was full of faeces and vomit from which an unbearable smell spread. The factual situation found raises the suspicion that the detained persons are not allowed to use the toilet freely when they need it.

The police station does not have special rooms for keeping children, as provided in the Law on Justice for Children, which states that "Authorized officials of the Ministry of Interior keep the child in premises suitable for keeping a child of its age, different from adult detention premises. "

Regarding the treatment of children, it was pointed out that so far no child has been detained at the Police Station, and in cases when there was a need to have a conversation, it was conducted in the interrogation rooms and a parent must be called, and in this respect it was emphasized that there is a good cooperation and communication with the Centre for Social Work.

Sanitary node

As part of the Bit Pazar Police Station, there are separate toilets for detainees and employees.

In the part where the detention rooms are located, there are special toilets for the detained persons with functional toilets, but with extremely low level of hygiene. Also, the fact that in one of the toilets behind the flush toilet container and the toilet bowl there were socks with faeces, and at the same time in none of the toilets there was toilet paper, indicates that the detainees did not have toilet paper available when using the toilet.

2.2.2. Realization of the rights of the detained persons

At the very entrance of the Police Station, a poster was displayed in a visible place, emphasizing the rights of the summoned, detained and detained persons in seven languages, and in a visible place in the hallway of the Police Station the Code of Police Ethics is placed, also a box for sending appeals and complaints from citizens to the Sector for Internal Control and Professional Standards has been set up in a visible place in the hall.

The team of the National Preventive Mechanism was informed by the Assistant Commander and the Head of the Security Zone that the detainees and persons deprived of their freedom at the Police Station are also informed about the right to call a defence counsel, to inform a third party about their deprivation from freedom, as well as the right to seek medical care.

The summoned persons, detainees and persons deprived of liberty, in the conditions when they want to use the right to call a defence counsel, have at their disposal the list of lawyers registered in the Lawyer's Register issued by the Bar Association of the Republic of Macedonia kept at the Police Station.

Regarding the communication with people who do not speak Macedonian, it was pointed out that so far there was no need to hire an interpreter, because the Police Station had employees who speak several different languages (Albanian, Turkish, Arabic, Roma and English).

The team of the National Preventive Mechanism was also informed that the Police Station has a special budget for food for the detained persons, that is, the persons deprived of liberty and the detained persons.

2.2.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are completed neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections.

During the inspection of the individual files for the persons deprived of liberty, that is, for detained persons, the team of the National Preventive Mechanism determined that they contain all the necessary documents, they contain all the required information, and from the data one can follow the activities undertaken by police officers.

From the inspection of the **Book of Records of Complaints filed by citizens against a police officer and measures undertaken**, PS Bit Pazar has a small number of recorded events, but the NPM team found that the PS Bit Pazar does not record the outcome of the complaint against a police officer.

From the inspection of the **Book of Records of used means of coercion**, the NPM team concluded that the most commonly used means of coercion are handcuffs, lever and grip. Thereby, the **register for used means of coercion** lacks an assessment of the justification of the means of coercion used.

2.2.4. Recommendations and actions upon recommendations

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

In this context, these are some of the recommendations submitted and the responses of the Ministry of Interior and the Commander of the Police Station Bit Pazar.

Review no.3

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response to a recommendation
Undertaking urgent action to eliminate technical malfunctions in the call and video surveillance system at Bit Pazar Police Station	No response was received from the Ministry of Interior regarding this recommendation.
Undertaking measures for adjustment and equipping of rooms for conversation and detention of children, in accordance with the Law on Justice for Children;	No response was received from the Ministry of Interior regarding this recommendation.
The fleet at the Police Station should be increased with an additional number of vehicles according to the needs, due to the smooth and timely execution of the police activities;	No response was received from the Ministry of Interior regarding this recommendation.

Review no.4

Overview of recommendations given to PS Bit Pazar	
Recommendations	Response to a recommendation
To adjust a separate room for conversation with children, in accordance with the Law on Justice for Children;	At the Police Station of general competence Bit Pazar, a room for conversation with children is being prepared in accordance with the Law on Justice for Children.
The Commander of the Police Station regarding the technical irregularities in the call and video monitoring system, through the Chief of SIA Skopje, to urgently inform the Sector for General and Common Affairs, requesting the removal of technical malfunctions, in accordance with the Standard Operating Procedures;	In the premises where a remark was found about the system for calling and communicating a detained person, we would like to inform you that a request for repair or change of the system for normal functioning has been submitted.
Immediately make repairs to the detached electrical installation in the detention premises;	A request for repair of the electrical installation in the detention premises has also been submitted.

Overview of recommendations given to PS Bit Pazar	
Recommendations	Response to a recommendation
To urgently improve the hygiene in the detention premises, and the chieftains in the Police Station to introduce a system of regular control over the hygiene and the equipment in the detention premises, in accordance with the Standard Operating Procedures;	In all rooms where there were remarks about hygiene, it has been removed and in the future it will be preserved at an excellent level.
Undertaking urgent measures to clear the rubbish in the corridors leading to the detention premises;	In all rooms where there were remarks about hygiene, it has been removed and in the future it will be preserved at an excellent level.
To reduce the risk of possible self-harm, remove the shower hose from the toilet intended for detainees;	For our part, in order to reduce the risk of possible self-harm, the shower hose from the toilet intended for detained persons has been removed.



2.3

POLICE STATION OF GENERAL COMPETENCE CENTER

On 10.07.2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of general competence Center**. This is the third visit to the Police Station by the team of the National Preventive Mechanism.

The Centar Police Station is a police station of general competence at the Sector for Internal Affairs - Skopje (SIA Skopje) and covers only the area of the Municipality of Centar. The Centar Police Station is located in the centre of the city of Skopje and is located in a residential building of solid construction. A special section for detaining persons has been built within the police station.

The police station, in addition to the main entrance, has a special entrance for detainees, that is, persons deprived of liberty who are being held at the police station for their interrogation, that is, detention. The police station is located on the ground floor, which also allows easy access to the official premises to people with certain physical disabilities.

From the conversation with the commander, information was received that the Police Station conducts regular and continuous thematic trainings in accordance with the monthly training plans.

2.3.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

In the Police Station Centar there is a room for interrogation and conversation with summoned, that is, detained, deprived of liberty or detained persons.

The room is equipped with attached tables and chairs, video surveillance cameras, and next to this room is located the office of the shift manager, which is also a room for receiving detainees and detained persons where they are taught about their rights in police proceedings, and in this room, the rights of the detainees, that is, persons deprived of liberty and detained persons are appropriately announced.

During the inspection in the interrogation room, two metal bars were found inside the cupboard and in its immediate vicinity, that is, in the hallway in front of the detention room, the NPM team noticed a wooden stick, which are suspicious objects that could be used to intimidate detainees, that is, persons deprived of liberty and detained persons.

The Law on Justice for Children stipulates that a conversation with a child is conducted in special rooms suitable for conversation with a child of its age, but the NPM team established that the Centar Police Station does not have a separate room for conversation with minors.

Detention rooms

The Centar Police Station has one detention room with an area of 6.25 m², which is used for individual accommodation of detained persons, it meets the minimum required standards for accommodation of detained persons in terms of their size. The detention rooms have a metal fixed bed, equipped with mattresses and dirty bedding (mattress cover, blanket and pillow).

The NPM team found that the detention premises were in a very poor condition, without light, no call system, the video surveillance system was not working, the air was unventilated and there was a bad smell of urine. Traces of blood have been seen on the walls of the detention premises.

The NPM team recommends that urgent measures be undertaken to improve the poor conditions, which are indisputable that they are inhumane and unsuitable for detaining persons, even for a short period of time.

In this room, the window glass was broken and according to the statement of the police officers, it was broken several months ago and has still not been replaced with a new one. The hygiene in the room was not satisfactory and there was a very bad smell.

The police station does not have special rooms for keeping children, as provided by the Law on Justice for Children.

In this regard, the shift manager with whom the conversation was conducted, pointed out that juveniles are not detained in detention rooms, but in exceptional situations when there is a need for detention, juveniles are accommodated in one of the meeting rooms, which is located next to the shift manager's room.

Sanitary node

Within the Police Station Centar there are separate toilets for the detained persons and for the employed officials.

In the part where the detention rooms are located, there is a special toilet that is used exclusively by the detained persons. At the time of the inspection in the sanitary unit, the NPM team did not notice any means of maintaining hygiene. There is no special ventilation device in the toilet, which makes it smell bad.

In this regard, NPM points to the following possible risks to the safety of the person and other fragile materials (ceramic materials), shower hose and metal holder for toilet paper.

2.3.2. Realization of the rights of the detained persons

At the very entrance of the Police Station, a poster was displayed in a visible place, highlighting the rights of the summoned, detained and detained persons in seven languages, and in a visible place in the hallway of the Police Station the Code of Police Ethics is placed, as well as information about asylum seekers.

In order to fully and continuously inform the citizens about their rights if they are detained or detained in the police station, NPM believes that, additionally, the rights should be announced in the conversation room for persons deprived of liberty, as well as in the room for detention of people.

The NPM team was informed by the commander and the shift manager that the detainees and persons deprived of their freedom at the Police Station were also informed about the right to call a defence counsel, to inform a third party about their detention, that is, deprivation of liberty, as well as the right to seek medical care.

The summoned, detainees and persons deprived of their freedom, in the conditions when they want to use the right to call a defence counsel, have at their disposal the list of lawyers registered in the Lawyer's Register issued by the Bar Association of the Republic of Macedonia which is kept at the Police Station.

During each detention, that is, deprivation of liberty or detention of a minor, they also stated that its parents were immediately notified and summoned and a defence counsel was provided. In this respect, from the conversation with the officials, **the NPM team concluded that the police officers are facing problems in providing representatives from the Centre for Social Works, when needed.**

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 neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections. However, from our detailed insight into records and registers, we have identified the following shortcomings:

From the inspection of the **Book of Records of persons deprived of liberty and detained persons**, the NPM team found small shortcomings in terms of inactivity and non-completion of all sections. According to this record book, persons in the Police Station are detained for an average of 6 hours, and a **detention of a person for 13 hours is recorded, which according to the NPM team is a long period of time**, given the inhumane conditions in the detention room (without light, no call system for physiological needs, bad smell, poor ventilation, etc.).

From the inspection of the **Book of Records of used means of coercion**, the NPM team determined that it is kept properly, and the most commonly used means of coercion are lever, handcuffs, leg grips, hand/arm grips, etc. In the recorded events for the current year, it is noticed that there is a lack of information about the justification of the used means for coercion from April of the same year, which speaks of insufficient diligence. Thereby, the NPM team concluded that all other cases of used means of coercion, for which the assessment has already been performed, were assessed as justified.

At the Centar Police Station, there is no Book of Records of complaints filed by citizens against a police officer and measures undertaken. The team repeatedly asked questions to the shift manager and deputy commander about the records and type of complaints against officials, to which it received an answer that the complaints are sent directly to the Ministry of Interior - Department of Internal Control.

2.3.4. Recommendations and action on given recommendations

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

In this context, these are some of the submitted recommendations and responses of the Ministry of Interior and the Commander of the Police Station Centar.

Review no.5

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response to a recommendation
Undertaking urgent measures to eliminate technical malfunctions in the call and video surveillance system at the Centar Police Station	On our part, the Special Report was immediately submitted to the Department for General and Common Affairs for acting on the given recommendations that are within the scope of the matters within their competence.
Undertaking measures for adjustment and equipping of rooms for conversation and detention of children, in accordance with the Law on Justice for Children	Regarding the first four recommendations, the PS od GC Centar submitted a request to the Department for General and Common Affairs to eliminate the identified shortcomings, as well as to adjust and equip a separate room for conversation with children.

Review no.6

Overview of recommendations given to PS Centar	
Recommendations	Response to a recommendation
The Commander of the Police Station regarding the technical irregularities in the call and video monitoring system, through the Chief of SIA Skopje, to urgently inform the Sector for General and Common Affairs, requesting the removal of technical malfunctions, in accordance with the Standard Operating Procedures;	We would like to inform you that on September 18, 2019, the Commander through SIA Skopje, informed the Department of General and Common Affairs that the call system, video monitoring, lighting and the window of the room for detention of persons should be repaired, whereby persons will not be detained there in the future until it is adjusted.
To adapt a separate room for conversation with children, in accordance with the Law on Justice for Children;	We also inform them in the act that a separate room for talking and keeping children should be adapted and equipped.

Overview of recommendations given to PS Centar	
Recommendations	Response to a recommendation
Immediately make repairs to the detached electrical installation in the detention premises;	We would like to inform you that on September 18, 2019, the Commander through SIA Skopje, informed the Department of General and Common Affairs that the call system, video monitoring, lighting and the window of the room for detention of persons should be repaired, whereby persons will not be detained there in the future until it is adjusted.
To urgently improve the hygiene in the detention premises, and the chieftains in the Police Station to introduce a system of regular control over the hygiene and the equipment in the detention premises, in accordance with the Standard Operating Procedures;	No response was received from PS regarding this recommendation.
To introduce a record of complaints filed by citizens against a police officer and measures undertaken, as regulated by the “Rulebook on the content and manner of keeping records of police and the form and content of the form of police records”, and better orderliness and diligence in the existing registers of records.	The Police Station of general competence Centar regarding the remark for keeping Records for complaints from citizens against uniformed police officers (UPO) has completely corrected it and is keeping the records up to date.



2.4

POLICE STATION OF GENERAL COMPETENCE GOSTIVAR

On 06.08.2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Gostivar**. This is the third visit to the Police Station by the team of the National Preventive Mechanism.

The Gostivar Police Station is a police station of general competence at the Sector of Internal Affairs - Tetovo (SIA Tetovo). Within the Police Station, there are four regional police departments: Chegrane, Galate, Mavrovo and Rostushe. The local jurisdiction to carry out police activities covers the area of the municipalities of Gostivar, Vrapchiste, Mavrovo and Rostushe. The total population of this area is approximately 120,000 inhabitants.

The police station is housed in a two-storey older building. The same building also houses the Chegrane Police Department, while the detention premises and the newly built children's premises are located in a separate building.

From the conversations with the officials, information was received that for the employed police officers, trainings are organized in accordance with the plan and programme submitted to them by SIA Tetovo, and also from the conversation with the shift manager it was concluded that he has passed trainings regarding detention in accordance with the Law on Criminal Procedure.

2.4.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

In the police station Gostivar there are 2 rooms for interrogation and conversation with persons deprived of liberty which are in a special building within the Police Station, next to the detention premises.

One of these premises is intended as an identification office, and is also used as an office by police officers in cases where there are detainees. In this room, the Code of Police Ethics is displayed in a visible place. However, the NPM team was informed that there is not always an official in this office, that is, in the immediate vicinity of the detention premises when there are detained persons, because very often there is not a sufficient number of officers necessary to perform other police work, due to which an assessment is made, depending on the behaviour of the detained person, whether there is a need for constant supervision by an official.

The other room is equipped with fixed chairs and a small table, and the rights of the detained persons are displayed in a visible place. However, from the conversations with the officials in the Police Station, the NPM team was informed that these conversation rooms are very rarely used because they are not equipped with appropriate technical means, that is, computers. In this regard, it was pointed out that most of the conversations with the detained persons are carried out in the offices of the inspectors.

There is video surveillance system installed in the conversation rooms, but it is not functional.

The NPM team recommends that the premises for interrogation and conversation be equipped with the necessary technical means (primarily computers) and used in accordance with their purpose.

Detention rooms

The police station has two detention premises, one of which is for individual detention, while the second has the capacity to simultaneously detain two people.

Both rooms meet the minimum standards for accommodation of detained persons in terms of their size. They have an area of more than 6 m², which meets the minimum standard of 4 m² per person.

Both rooms are equipped with fixed metal beds. In the room for individual detention, the bed was equipped with a mattress and two blankets, and a pillow was missing. In the second room the beds were equipped with blankets, one of the beds had no mattress at all, and none of the beds had a pillow.

In this regard, the NPM team recommends that urgent measures be undertaken to eliminate the technical shortcomings of video surveillance in detention

premises, as well as in interrogation and conversation rooms, in accordance with Standard Operating Procedures, because functional video surveillance in the detention and interrogation rooms shall reduce the risk of possible misconduct.

Regarding the treatment of children, it was pointed out that so far no child has been detained at the Police Station, and in cases when there was a need to have a conversation, it was conducted in the premises of the facility that is specifically intended for children, and in this respect the good cooperation and communication with the Centre for Social Work was emphasised.

Sanitary node

Within the Gostivar Police Station there are separate toilets for the detained persons and for the employed officials.

Within the facility for detention of persons deprived of liberty there are special sanitary facilities for detained persons in which the hygiene was at a relatively satisfactory level. The toilet has glass mirrors which means that the risk of injury if the mirrors are broken is likely. In that part, in order to avoid the possibility of self-harm and /or infliction of injuries to other people, it is necessary to place mirrors with unbreakable glass.

2.4.2. Realization of the rights of the detained persons

At the Police Station, posters with the rights of those summoned, persons deprived of their freedom and detainees, as well as the victims of criminal acts, were displayed in several places. At the entrance of the police station there is a box for praise and complaints, and there is also a box for complaints to the Department of Interior.

Namely, a poster with instructions on the rights of the summoned, detained and detainees persons in three languages is placed in a visible place in the office of the shift manager of the Police Station, and the instructions on the rights of detainees and detained person in seven languages are displayed in the interrogation room located in the building where the detention premises are situated.

The rights of the victims of criminal acts and the Code of Police Ethics are displayed in a visible place in the Police Station, and a poster with guidelines for dealing with child victims of crimes is also placed in the facility which is specifically intended for dealing with children.

However, the instructions on the rights of detainees, that is persons deprived of liberty and detainees persons are not displayed in the meeting room where it was also stated by the officials that the detainees were being accommodated ("kept") in cases of multiple detention.

The team of the National Preventive Mechanism was informed by the shift manager that the detainees in the Police Station are also informed about the right to call a defence counsel, to inform a third party about their arrest, that is deprivation of liberty, and about the right to seek medical help which is duly recorded in the required documentation.

The police station does not have a special budget for food for the detainees, but the police officers pointed out that they buy food for the detained persons from their personal funds.

2.4.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections.

During the inspection of the **Record for persons deprived of liberty and detained persons**, the NPM team concluded that none of the detained persons was detained more than the legally prescribed deadline, and the very fact that the records neatly noted whether the person requested and exercised the right to notify a third party, to call a lawyer or to seek medical assistance, indicates that the detainees are instructed and have the opportunity to exercise these rights.

During the inspection of this record, it was concluded that more than 10-15 people were detained at the Police Station several times at the same time. In these cases, as the officials mentioned, the detained persons are accommodated in the so-called divorce room and meeting room, and the premises are constantly supervised by an official. The NPM team, taking into account the conditions in these premises, in which there are no adequate means of rest, nor are they conceived to be used as detention premises, believes that the multiple-hour detention of persons in such premises may be a violation of Article 3 from the European Convention on Human Rights, which provides for a ban on torture, inhuman or degrading treatment or punishment.

From the performed inspection in the **Record of used means for coercion**, the NPM team determined that the most commonly used means of coercion is physical force, that is arm grip/lever. For all cases of use of means of coercion, an appropriate report was drawn up, as well as an assessment of the justification of the means of coercion, from which it is clear that in all cases the use of means of coercion is assessed as justified.

From the inspection of the individual cases for detained persons, the NPM team concluded that in general the records are kept properly, it contains the necessary documents from which the entire chronology of the undertaken activities regarding the detention of persons can be monitored. In cases when the persons have been provided with medical assistance, a medical certificate with a signature and a facsimile of the doctor is contained in the folder, appropriately

2.4.4. Recommendations and actions upon recommendations

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

In this context, these are some of the submitted recommendations and responses of the Ministry of Interior and the Commander of the Police Station Gostivar.

Review no.7

Overview of recommendations given to the Ministry of Interior	
Recommendations	Одговор по препорака
Urgent measures should be taken to eliminate technical malfunctions in the video surveillance system at the Police Station;	Subsequently, the Tetovo SIA submitted a request to the Department for General and Common Affairs for immediate repair of the video surveillance system and the calling system and purchasing computers.

Review no.8

Overview of recommendations given to PS Gostivar	
Recommendations	Response to a recommendation
<p>The Commander of the Police Station regarding the technical irregularities in the call and video monitoring system in the interrogation and detention premises, through the Chief of SIA Tetovo, to urgently inform the Sector for General and Common Affairs, requesting the removal of technical malfunctions, in accordance with the Standard Operating Procedures;</p>	<p>On our part, the Special Report was immediately submitted to the Department of General and Common Affairs for acting on the given recommendations which are within the scope of their competence.</p> <p>In addition, SIA Tetovo submitted a notification regarding the undertaken measures and activities for elimination of the ascertained shortcomings upon the given recommendations for the Police Station of General Competence Gostivar, which include as follows:</p> <p>The Commander of the Police Station regarding the technical irregularities in the video monitoring system in the interrogation and detention premises, through the Chief of SIA Tetovo, to urgently inform the Sector for General and Common Affairs, requesting the removal of technical malfunctions, in accordance with the Standard Operating Procedures. Subsequently, the Tetovo SIA submitted a request by an act to the Department for General and Common Affairs for immediate repair of the video surveillance system and the calling system and purchasing computers.</p>
<p>The beds in the detention rooms should be equipped with the necessary means for rest and overnight stay - a suitable mattress, clean blankets and pillows;</p>	<p>The beds in the detention rooms are equipped with the necessary equipment (mattresses, clean blankets and pillows);</p>
<p>The premises for interrogation and conversation should be equipped with the necessary technical means (primarily computers) and should be used according to their purpose;</p>	<p>Subsequently, the Tetovo SIA submitted a request by an act to the Department for General and Common Affairs for an urgent repair of the video surveillance and the calling system for and purchasing computers.</p>

**Overview
of recommendations given to PS Gostivar**

Recommendations	Response to a recommendation
To remove all items that increase the risk of self-harm from the toilet for detained persons, and to remove and replace the existing mirror with an unbreakable mirror material;	Mirrors from breakable material have been removed from the toilet and an unbreakable mirror has been installed.
In cases when detainees, that is persons deprived of liberty are detained at the police station, whose number exceeds the capacity of the police station for detention of persons, their detention should be of short-term (not more than 4 hours), and in cases when there is a need for longer detention, persons should be transported to the nearest Police Stations that meet the conditions for detention of persons;	No response was received from the PS regarding this recommendation.
Greater diligence in keeping the Register for the use of coercive means.	Records for the use of coercive means have been updated.



2.5

POLICE STATION OF GENERAL COMPE- TENCE DEBAR

On 08.08.2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Debar**. This is the third visit to the Police Station by the team of the National Preventive Mechanism.

The Debar Police Station is a police station of general competence within the Sector for Internal Affairs - Ohrid (SIA Ohrid), and the local competence to perform police activities covers the area of the municipalities of Debar and Centar-Zhupa, where the police station has a police office. The total population in the area of the two municipalities is approximately 25-6 thousand inhabitants.

The police station is located in an older building, and it houses the offices of the officials from the police station, as well as the inspectors from the EOCA Debar (External Office for Criminal Affairs Debar - within the SIA-Ohrid).

An access ramp has been built at the entrance, which also allows easy access to the official premises for people with certain physical disabilities.

2.5.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

The NPM team determined that in PS Debar there is no special room for conducting a conversation with the detainees, that is, the persons deprived of liberty and the detained persons.

The NPM team received information that the conversations with the detainees, that is the persons deprived of liberty and persons detained at the Police Station, are most frequently performed in the offices of the inspectors, due to which an inspection was performed in several offices. During the inspection, no means were noticed, nor other suspicious objects whereby the detainees could be intimidated, that is the persons deprived of liberty and detained persons.

In the offices of the inspectors where the conversations with these persons are conducted, there are no special instructions for the rights of the detainees, that is the persons deprived of liberty and the detained persons, but we were informed that before each conversation the persons are instructed about their rights and a document confirming that is included in each of the case files.

The Law on Justice for Children stipulates that conversation with a child is conducted in special rooms suitable for conversation with a child of its age, but the NPM team concludes that the Debar Police Station does not have a separate room for conversation with minors.

Detention rooms

Within the police station there is one room for individual detentions, located on the ground floor of the police station, next to the duty service and two old basement detention rooms (which are not in use).

In terms of size, it cannot be said that the room meets the international recommendations and guidelines for minimum standards for accommodation of detained persons, because the room was constructed in such a way that it was physically divided in half with metal bars. Namely, the room is completely larger than 7m², but the area of the room up to the bars is 5.82 m², which does not meet the minimum recommendation for the desired size according to the European Committee for the Prevention of Torture (CPT).

The room is equipped with rest facilities (for short-term and night detention), such as: bed, mattress, pillow and blanket for night rest and sleep. There is also a coffee table and chair in the room, which, like the bed, are fixed to the floor.

There are no special heaters or heating devices in the premises - during the visit

NPM stated that the temperature is 26.6oC and is within the acceptable range, while the humidity was around 43.9%. Since there are no special heaters in the room, the question arises as to how it heats up during the winter.

There is no call or video surveillance system installed in the detention room. Given that the room is located close to the duty office, the officials informed us that the persons are under constant surveillance, and the detained person can call an official at any time in case of any need.

The police station does not have special rooms for keeping children, as provided by the Law on Justice for Children.

Regarding the treatment of children, it was pointed out that so far in the Police Station there have been no cases of child detention, and in cases when there was a need to have a conversation, it was carried out in the premises of the shift managers or the inspector working on the specific case. In this regard, it was pointed out that whenever conversations with a minor take place, his/her parent or guardian is also called, and when there is a need, a representative from the Centre for Social Work, as well as a lawyer.

Sanitary node

Within the facility for detention of persons deprived of liberty, there is no special sanitary node for the detained persons, more precisely, the same toilets as for the officials are used.

Although the hygiene in the sanitary unit was satisfactory, it is still an old and unrepaired toilet with the presence of a large amount of moisture. During the visit, NPM did not notice any means for maintaining personal hygiene, but according to the information received from the commander of the Police Station, toilet paper is given to the detained persons if they request it.

2.5.2. Realization of the rights of the detained persons

In the Police Station, posters with the rights of the summoned persons, persons deprived of liberty and detainees, as well as the persons, victims of criminal offenses in several languages are displayed in several places in the Police Station.

Namely, a poster with instructions on the rights of detainees in three languages is placed in a visible place on the inside of the detention room, and posters with instructions on the rights of detainees, persons deprived of liberty and victims of crimes are displayed in a visible place at the entrance to the Police Station, as well as in several places in the hallway of the station.

A box of the Sector for Internal Control and Professional Standards has been placed in a visible place in the Police Station, which is intended for complaints against the actions of the police officers, and there is also a poster with instructions for the citizens about how much they can complain about the actions of the police.

The team of the National Preventive Mechanism was informed by the shift manager that the detainees in the Police Station are also informed about the right to call a defence counsel, to inform a third party about their arrest, that is deprivation of liberty, and about the right to seek medical help and that it is duly recorded in the documentation for each individual case (noted in the Registers with a lesson with rights contained in the individual files).

The Police Station does not have a special budget for food for people who are detained, but the police officers pointed out that they usually buy a meal for the detainees from their personal funds.

2.5.3. Records and registers of detained persons

The NPM team from the inspection of the records kept at the Police Station concluded that they are generally well managed, but that greater diligence is needed, that is, greater organization, punctuality and precision in recording events.

From the inspection in the **Record of used means of coercion**, the NPM team determined that in all cases of use of means of coercion a report was properly prepared, as well as an assessment of the justification of the means of coercion, which shows that in all cases the use of means of coercion is assessed as justified.

From the inspection in the **Record for temporarily seized items**, the NPM team concluded that in some of the registered cases not all sections were completely filled, due to which only from the inspection in this records it cannot be determined which official confiscated the items, if they have been returned to the person, that is, whether they are still being held at the police station or have been handed over to another person.

From the inspection of several individual cases of detainees and persons deprived of liberty who were detained at the Police Station, the NPM team concluded that the case files for detainees were not in a special cover as provided by the "Standard operating procedures for dealing with persons who are restricted in their right to freedom of movement (detained, deprived of liberty and detained persons)", where item 5.2.7 clearly stipulates that: "In the police stations where persons are detained, a special case shall be conducted for detained persons."

From the inspection of the case files, the NPM team concluded that, according to the data contained in the official notes and the appropriate forms, there is a logical course of events regarding the taking of official actions in dealing with detainees. However, the allegations of the detained person with whom the conversation was conducted raise doubts about the timeliness of the actions taken and their appropriate noting in the official records.

2.5.4. Recommendations and action upon recommendations

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

In this context, these are some of the submitted recommendations and responses of the Ministry of Interior and from the Commander of PS Debar.

Review no.9

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
Increasing the number of shift managers/ employees for admission in the Police Station and mandatory training of these officials in the part of the practical implementation of the “Standard operating procedures for dealing with persons who have limited right to freedom of movement (detained, deprived of liberty and detained persons)“;	Regarding the stated recommendations, the Police Station of General Competence Debar submitted to the SIA Ohrid a problem - related information requesting supplementation of the systematization with new jobs positions of shift manager and Construction of new detention premises that would meet at least the minimum standards for rooms intended for detention of people.
Construction of a new detention room that will fully meet the basic minimum standards for detention of people;	Regarding the stated recommendations, the Police Station of General Competence Debar submitted to the SIA Ohrid a problem - related information requesting supplementation of the systematization with new jobs positions of shift manager and Construction of new detention premises that would meet at least the minimum standards for rooms intended for detention of people.
Construction of a special room for juvenile detention in accordance with the Law on Justice for Children;	No response was received from the Ministry of the Interior regarding this recommendation.

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

Recommendations	Response upon recommendation
Construction of a special room for conducting a conversation with persons deprived of liberty and equipping them with video surveillance which will contribute to reducing the risk of possible inappropriate actions (torture, threats, intimidation) during the interrogations, that is, conversations with the summoned, detained, persons deprived of liberty or detained persons, as well as from unfounded allegations of such conduct by officials;	No response was received from the Ministry of the Interior regarding this recommendation.

Review no.10

**Overview
of recommendations given to PS Debar**

Recommendations	Response upon recommendation
Increasing the number of shift managers/ employees for admission in the Police Station and mandatory training of these officials in the part of the practical implementation of the “Standard operating procedures for dealing with persons who have limited right to freedom of movement (detained, deprived of liberty and detained persons)“;	Regarding the stated recommendations, the Police Station of General Competence Debar submitted to the SIA Ohrid a problem - related information requesting supplementation of the systematization with new job positions of shift manager.

**Overview
of recommendations given to PS Debar**

Recommendations	Response upon recommendation
<p>For each person detained at the Police Station, one should appropriately follow the “Standard operating procedures for dealing with persons who are restricted in their right to freedom of movement (detained, deprived of liberty and detained persons)”, whereby the persons will be immediately acquainted with the reasons for their detention, they will be taught about their rights, especially the right to notify a third party of their detention, the right to a defence counsel, and the right to medical assistance. Officials are also obliged to undertake all necessary preventive measures to protect these persons from (self)injury, and are also obliged to properly note all violations, complaints or other statements of persons that would indicate possible inappropriate treatment towards them;</p>	<p>The SIA Ohrid instructed the Commander of the Police Station of General Competence Debar to point out to the police officers who work with detainees, detained persons and persons deprived of liberty to consistent observance of the Standard Operating Procedure for dealing with persons whose right to freedom of movement is restricted and all official materials to be checked and placed in a special cover. Regarding the given direction, the Commander of the Police Station of General Competence Debar pointed out to all UPO from the Police Station of General Competence Debar who work with detained, deprived of liberty and detained persons to consistent observance of the standard operating procedure for dealing with persons whose right to freedom of movement is restricted and a working meeting was held on this issue on October 10, 2019.</p>
<p>The case files for detained persons should have an appropriate cover as provided by the “Standard operating procedures for dealing with persons who have limited right to freedom of movement (detained, deprived of liberty and detained persons)” and more diligent keeping of the Register for temporary confiscated items. It is also necessary that the records for detention of persons must be completely filled in, especially the data in the part of determining the visible injuries and the need for a doctor, in order to reduce the risks to the safety and health of the detained persons;</p>	<p>No response was received from PS regarding this recommendation.</p>

**Overview
of recommendations given to PS Debar**

Recommendations	Response upon recommendation
Adaptation of a special room for interrogation and conversation with detainees and persons deprived of liberty, which will be equipped with video surveillance that will contribute to reducing the risk of possible inappropriate actions (torture, threats, intimidation) during the interrogations, that is, conversations with the summoned, detained, persons deprived of liberty or detained persons, as well as unfounded allegations of such conduct by officials;	No response was received from PS regarding this recommendation.



2.6

POLICE STATION OF GENERAL COMPE- TENCE KAVADARCI

On 16.08.2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Kavadarci**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Kavadarci Police Station is a police station of general competence, and the local competence to perform police activities covers the area of the municipalities of Kavadarci and Rosoman, where the Police Station also has a police office. The total population of the two municipalities is approximately 40,000.

The police station is housed in an older building dating back to 1977-78, and houses the offices of officials from the Police Station, as well as the inspectors from the EOCA Kavadarci (External Office for Criminal Affairs Kavadarci).

An access ramp has been built at the entrance, which allows easy access to the official premises also by people with certain physical disabilities.

2.6.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

The NPM team determined that in PS Kavadarci there is no special room for conducting a conversation with the detainees, that is the persons deprived of liberty and detained persons.

The detainees, that is persons deprived of liberty and the detained persons, are brought for an interview in the office of the shift manager and in the offices of the police inspectors.

The Law on Justice for Children stipulates that a conversation with a child is conducted in special rooms suitable for conversation with a child of its age, but the NPM team concludes that the Kavadarci Police Station does not have a separate room for conversation with minors.

Detention rooms

As part of the Kavadarci Police Station, there are five detention rooms located in the basement of the station itself. Detention rooms are for individual accommodation with a capacity of one bed each. Two rooms are not used at all, and one is used only when needed, which means that up to 3 people can be accommodated in this police station.

The three functional rooms have dimensions of 6.84m², for which the NPM team determined that the premises meet the required desired standards 6-7m² for individual accommodation, but none meets the standards in terms of distance of at least 2 metres between the walls.

During the inspection of the detention premises, the NPM team determined that they were adequately equipped with partially clean and tidy rest facilities (for short-term and night detention), such as bed, mattress, blanket, pillows for night rest and sleep.

Video surveillance cameras have been installed in two rooms, but due to a certain defect they were not functional, while the call system was installed in all rooms.

Detention rooms do not meet the standards for daylight and artificial light, they do not have windows through which people would have access to daylight, but a stream of dimmed artificial light entering through windows facing the hallway. There is also a small air flow through the same window (there is a low level of ventilation and there is a stench of moisture). NPM stated that the temperature was 22.2oC and that it was within the acceptable range, while the humidity was around 74.6 RH, which is not within the acceptable range.

Of particular concern about the detention premises is the lack of a heating system, namely no special heating devices that would be heated in conditions where they would be a detained person are placed.

The access to the detention premises is only by stairs, more precisely the standards for access of persons with special needs are not met, and at the same time in PS Kavadarci there is no separate rear entrance to these premises through which the detained and detained persons would be led..

The police station does not have special rooms for keeping children, as provided in the Law on Justice of Children, which states that "Authorized officials of the Ministry of Interior keep the child in rooms suitable for keeping a child of its age, different from the detention premises for adults."

In this regard, the shift manager with whom the conversation was conducted, pointed out that juvenile detention is not performed in detention premises, but in exceptional situations when there is a need for detention, juveniles are accommodated in one of the premises of the inspectors next to the room of the shift manager. During the detention of a minor, a parent and a lawyer must be called in accordance with the Law on Justice for Children, and the Centre for Social Work is also notified. The problem in this PS, as in most police stations, is the lack of a special room for juvenile detention, which would be appropriate for detention of this category of persons.

Sanitary node

In the basement, that is, in the detention rooms in the basement there is no toilet that would be used exclusively by the detained persons. For that reason, the detained persons use the same toilets with the officials, which are located on the first floor of the police station.

During the inspection of the sanitary nodes, the NPM team noticed that there were no means for maintaining hygiene (toilet paper and soap). There are mirrors and glass windows in the toilets, and because they also are used by people deprived of their freedom, there is a possibility of self-harm or injury to other people. Access to the toilets is also a problem - namely the toilets are on the first floor of the station, while the detention rooms are in the basemen.

2.6.2. Realization of the rights of the detained persons

In the Police Station, posters with the rights of the summoned persons, persons deprived of liberty and detainees, as well as the persons, victims of criminal offenses in several languages are displayed in several places.

The NPM team inspected the official premises of the police station building, and it was determined that the lessons on the rights and the code of the police station are displayed in visible places accessible to citizens. In order to fully inform the citizens with their rights,

if they are called, detained or detained in the police station, posters in several visible places are displayed in 7 languages (Macedonian, Albanian, Turkish, Roma, Serbian, Vlach and English).

The admission of detained and detained persons is performed in the office of the shift manager, and from the aspect of timely and correct information of the detained and detained persons, in the same room the rights of persons deprived of liberty in 3 languages are appropriately displayed.

During the visit, the NPM team had a conversation with the shift manager who informed us about the manner of dealing with the detained and detained persons, that these people are always informed and instructed about their rights, and in terms of exercising the right to a defence counsel PS Kavadarci has list of lawyers at its disposal.

According to international standards, persons deprived of their freedom are guaranteed the right to food. The police station has a special food budget, but the detainees mostly buy food from their own funds.

2.6.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are kept up-to-date, orderly and readable and that the books have a logical flow and follow-up of events, without crossing out in any of the sections, no correction means is used, and the data correspond to the data in the Book of Daily Events.

During the inspection in the **Record for complaints from citizens against police officers**, NPM states that few events were registered in it. The most common reasons for citizens to file complaints are unprofessional conduct and failure to undertake measures by police officers. Also, as it is the practice in other police stations of general competence, there is a lack of information in the sections on the measures undertaken against the police officer to whom the complaint relates, because the police station never receives feedback from the Department of the Interior regarding the course and outcome of the procedure.

From the inspection that the NPM team performed in the **Record for the use of means of coercion**, it is concluded that the book is kept clearly and orderly, all the sections are completed. The most common means of coercion used by police officers in the Kavadarci Police Station are lever and handcuffs, in none of the cases was there a consequence of the used means of coercion and all cases are assessed as justified by the Commander of the police station.

The NPM team, during the inspection of the records books in the Police Station Kavadarci, also inspected the folders/files of persons who were detained, deprived of liberty or detained at the police station. From the inspection it was established that the files were diligently kept, they contain all the necessary documents, the information in the documents corresponds to the information in the record books.

2.6.4. Recommendations and actions upon recommendations

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

Until the preparation of the report, the Ministry of Interior did not provide any feedback, so the recommendations to the Ministry of Interior are presented below.

Review no.11

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
To dislocate the places for detention from the basement premises, temporary adaptation of the premises in the ground floor of the station that will meet the minimum standards for detention of persons deprived of liberty and inclusion of PS Kavadarci in the project for construction of new detention premises;	No response was received from the Ministry of the Interior regarding this recommendation.
When constructing new detention premises, one should take into account the performance of an appropriate access for persons with special needs, as well as the performance of the rear entrance for the leading of persons deprived of liberty;	No response was received from the Ministry of the Interior regarding this recommendation.
To provide separate toilets for officials and persons deprived of liberty which will be arranged in accordance with safety principles and be located near the detention premises;	No response was received from the Ministry of the Interior regarding this recommendation.
To introduce a special room for detention of minors in PS Kavadarci in accordance with the legislation on justice for children;	No response was received from the Ministry of the Interior regarding this recommendation.
To introduce special rooms for conducting conversations with persons deprived of liberty.	No response was received from the Ministry of the Interior regarding this recommendation.

Review no.12

Overview of recommendations given to PS Kavadarci	
Recommendations	Response upon recommendation
Basement rooms should be used exclusively for short-term daily detentions for no longer than 4 hours, while for longer-term detentions to temporarily adapt another room in the ground floor of the station that will meet the minimum standards for detention of persons;	PS of GC Kavadarci uses the premises for detention of persons exclusively for short-term detention, until the fulfilment of the minimum standards determined for the premises for detention of persons.
The Commander of the Police Station regarding the technical irregularities in the video monitoring system in the detention premises, through the Chief of SIA Kavadarci, is to inform the Sector for General and Common Affairs, requesting the removal of technical malfunctions, in accordance with the Standard Operating Procedures (which would be relevant for short-term detention in these premises, in the period until the construction of new detention premises);	Regarding the stated recommendations, the Police Station of General Competence Kavadarci requested from the Department of Informatics and Telecommunications to install a video surveillance programme in the detention premises.
The examination and search of the person to be conducted in a separate room appropriately designated and equipped for that purpose.	For examination and search of persons deprived of liberty, a special room has been determined and marked which is located next to the detention premises and is suitable for that purpose.



2.7

POLICE STATION OF GENERAL COMPE- TENCE KRATOVO

On August 27, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Kratovo**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Kratovo Police Station is a police station of general competence within the Sector for Internal Affairs - Kumanovo (SIA Kumanovo). The local jurisdiction to perform police activities covers the area of the Municipality of Kratovo, or a total area of 367 km². The total population of this municipality, according to the last census of 2002, is 10,441 inhabitants (it is assumed that the real population figure is much smaller).

The Kratovo Police Station of general competence is located in a two-storey building, in recently renovated premises. The police station has easy access to the entire infrastructure of the settlement, and other institutions are located in its vicinity.

An access ramp has been built at the entrance, which also allows easy access to the official premises by people with certain physical disabilities.

From the conversation with the Assistant Commander of the Police Station, information was received that regular and continuous trainings for police officers are conducted in PS Kratovo, while more experienced officers in the Police Station regularly hold trainings as mentors for younger police officers.

2.7.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

PS Kratovo does not have special rooms for interrogation and conversation with summoned, that is, detained, deprived of liberty or detained persons, hence, conversations with these persons are conducted in the office of the shift manager.

From the inspection of this room, the NPM team realized that flyers in several languages are neatly displayed, for the rights of the persons deprived of liberty.

The Law on Justice for Children stipulates that a conversation with a child is conducted in special rooms suitable for conversation with a child, but the Kratovo Police Station does not have such a room.

In this regard, the NPM team was informed that the conversations with the children are conducted in the official offices of the inspectors in charge of juvenile delinquency or in the office of the shift manager.

Detention rooms

The NPM team realized that PS Kratovo has two rooms for detention of people, and they are located on the ground floor of the building. One room is for individual detention and has one bed, and the second room is for collective accommodation and it contains two beds.

The room for individual detention has dimensions of 4,48 m², and the NPM team determined that it does not meet the minimum standards for the size of the room for individual detention, while the room for collective accommodation has dimensions of 9,87 m², and meets the minimum standards for room size for collective detention.

From the performed inspection, the NPM team concluded that in the detention rooms, there is a low flow of natural daylight. Namely, although the rooms have direct access to daylight through windows, they are so high that they require additional artificial lighting throughout the day in order to be fully lit. There is no special exhaust fan for air purification in the detention rooms, but the ventilation takes place through the flow of air through the windows, the glass of which was broken in both rooms.

According to the NPM team, the fact that there is no heating system in the detention rooms is of particular concern, and at the same time there is no possibility to install radiators, due to lack of electrical infrastructure.

The NPM team also found that there was a system for calling and communicating the detained person in the detention premises. However, on the day of the visit, it was not in a functional condition.

From the inspection, the NPM team concluded that no video surveillance was installed in the detention premises, as provided in the Rulebook on the general norms and standards that should be met by the detention premises in the police stations of general competence, which leads to the impossibility of monitoring the condition of the detained persons in the detention premises.

The police station does not have special rooms for keeping children, as provided by the Law on Justice for Children.

Sanitary node

Within the Police Station Kratovo there are separate toilets for the detained persons and for the employed officials. The sanitary node, intended for the detained persons, is not properly performed, that is, it is located within the detention premises themselves and is common for the two rooms.

The toilet is located in the hallway before entering the detention premises, it is not adequately protected or enclosed, so its use leads to humiliating treatment of detainees, given that the people who use it are exposed to direct observation by officials. Thereby, the access to the detention premises is exclusively through this toilet, which directly endangers the right to intimacy and privacy of the detained persons.

2.7.2. Realization of the rights of the detained persons

In the Police Station, posters with the rights of the summoned persons, persons deprived of liberty and detained persons, as well as the persons, victims of criminal offenses in several languages are displayed in several places. At the entrance of the police station there is a box for sending complaints and grievances from citizens to the Sector for Internal Control and Professional Standards, and in the hallway of the Police Station there is: a poster with stated rights of the summoned, detained and detained persons in seven languages, as well as the Code of Police Ethics.

The NPM team was informed by the Assistant Commander that the detainees and persons deprived of their freedom at the Police Station were also informed about the right to call a defence counsel, to inform a third party about their detention, that is deprivation of liberty, as well as about the right seek medical attention.

The summoned, detainees and persons deprived of liberty, in the conditions when they want to use the right to call a defence counsel, also have at their disposal the list of lawyers registered in the Lawyer's Register issued by the Bar Association and kept in the Police Station.

2.7.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections. However, from our detailed insight into the records and registers, we have identified the following shortcomings:

From the inspection of the **Records for Detained Persons**, NPM stated that, despite the fact that the data in this book correspond to the data listed in the Book of Daily Events and it is kept annually, there were omissions in the records of detainees. Namely, there was a lack of data in the section that refers to the date and time when the person was released, which indicates, above all, inactivity, but at the same time alludes to the intentional concealment of data.

During the inspection of the **Records filed by citizens against police officers**, the NPM team found the same practice as in other police stations of general competence, lacking information in the sections on the measures undertaken against the police officer to whom the complaint relates, because the police station never receives feedback from the Department of the Interior on the progress and outcome of the proceedings.

From the inspection performed by the NPM team in the **Records for the use of means of coercion**, it was concluded that the book was kept clearly and orderly, all sections were completed, the most common means of coercion used in PS Kratovo are physical force and handcuffs. None of the cases of used means of coercion ended with consequences, and all cases were assessed as well-founded.

The NPM team, during the inspection of the documentation in the Police Station Kratovo, inspected the files of persons who were detained, deprived of liberty or detained at the police station. From the performed inspection, it is concluded that the folders are kept neatly and contain all the documents.

2.7.4. Recommendations and actions upon recommendations

The Ombudsman - NPM prepared a Special Report on the ascertained conditions of the visit with specific recommendations, which it submitted to the Ministry of Interior, as well as to the Commander of the Kratovo Police Station.

Until the preparation of the Annual Report, the Ministry of Interior did not provide any feedback, so the following is an overview of the recommendations given and the responses by the Commander of the Police Station Kratovo.

Review no.13

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response to a recommendation
<p>To employ additional staff in the Police Station Kratovo, in accordance with the act for systematization and organization, and the need to fill the position of shift manager is especially urgent;</p>	<p>During the visit to PSGC Kratovo, 46 people were employed, out of whom 42 uniformed police officers effectively and regularly performed duties, out of whom only one inspector for admission-shift manager. Today, PSGC has a total of 50 employees (46 plus 4 trainees), of whom 48 perform regular police work, including 4 shift managers, which ensures continuity in the presence of a shift manager.</p> <p><i>(Response by the Commander of the PSGC Kratovo.)</i></p>
<p>To provide funds for the complete rehabilitation and adjustment of the detention premises, which will meet the prescribed international standards for detention of people;</p>	<p>Regarding this recommendation, it should be noted that PSGC now SIA Kratovo does not have its own budget and is not able to independently undertake such interventions. However, the higher instances in the hierarchy of the Ministry of Interior responsible for planning such interventions are familiar with the current situation, as well as with the entire NP Report.</p> <p><i>(Response by the Commander of the PSGC Kratovo.)</i></p>
<p>To undertake measures for adjustment and equipping of rooms for conversation and detention of children, in accordance with the Law on Justice for Children;</p>	<p>No response was received from the Ministry of the Interior regarding this recommendation.</p>

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

Recommendations	Response to a recommendation
<p>To introduce special rooms for conducting conversations with persons deprived of liberty;</p>	<p>Regarding this recommendation, PSGC so far has no physical opportunities to introduce such a room, but as before, the practice is to talk to persons deprived of liberty in the office of the shift manager or VBR or EOCA, depending on the issue of the event, which is regularly effectively recorded in the person detention record.</p> <p><i>(Response by the Commander of the PSGC Kratovo.)</i></p>
<p>To provide more vehicles, and especially a vehicle for the transport of detained persons (vans).</p>	<p>Regarding this recommendation, the explanation relating to the second recommendation on the budget is valid, but it should be clarified that although in PSGC another new PMV was put at disposal, due to the obsolescence of the vehicles and their technical functions, the situation has deteriorated (currently two vehicles are being repaired and 3 vehicles are effectively used). I would like to point out that it is a practice that if there is a need for transport of persons with such a vehicle, it is provided by the SIA Kumanovo or other organizational units of the Ministry of Interior.</p> <p><i>(Response by the Commander of the PSGC Kratovo.)</i></p>

Review no.14

Overview of recommendations given to PS Kratovo	
Recommendations	Response upon recommendation
To adapt special rooms for conversation and detention of children, in accordance with the Law on Justice for Children (until the moment of building a new appropriate room that will be used for these purposes).	Regarding this recommendation, we have adapted an office at the EOCA Kratovo from which all items that could be a problem for children have been removed. If there are cases of detention of children, they will not be kept in the detention room but in the office in question and at the same time there will be constant and immediate supervision of the detained person by a police officer in civilian clothes.



2.8

POLICE STATION OF GENERAL COMPETENCE SH TIP

On September 18, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Shtip**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Shtip Police Station is a police station of general competence at the Sector for Internal Affairs - Shtip (SIA Shtip). The local competence for performing police activities covers the area of the Municipality of Shtip and the Municipality of Karbinci, the total population of this area is approximately 52,000 inhabitants.

The Shtip Police Station of general competence is located in an old building, which was renovated 10 years ago. The police station is located on the ground floor of the common building of the SIA Shtip. The police station has difficult access to the entire infrastructure of this municipality, because the entrance to the police station is surrounded by several narrow streets.

The Police Station, in addition to the main entrance, has a special entrance for detainees, that is persons deprived of liberty who are being held at the Police Station for their examination, that is detention. An access ramp has been built at both entrances, which also allows easy access to the offices by people with certain physical disabilities. However, information was received by the officials that the special entrance is not in operation, that is, it is not in use.

From the conversation with the commander of the police station, information was received that regular and continuous trainings are conducted for the employees on various thematic programmes in accordance with the Training Programme 2019.

2.8.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

There are two separate rooms in this Police Station, one of which is used as a reception room for detained and detained persons and a room for interrogation and conversation with police inspectors, while the second room is used as a room for the shift manager.

In the same office, protective measures were taken by this station, that is, the chairs and tables were attached to the floor and they cannot be misused in the direction of injury or self-harm. These rooms are equipped with appropriate video surveillance.

In one of these rooms, two pieces of wood (ex: handle, etc.) were noticed, which could serve as means of intimidation or harassment, which is why the NPM team believes that they should not be kept in the room of the shift manager, that is, the interrogation room and that they should be removed immediately.

The Law on Justice for Children stipulates that a conversation with a child is conducted in special rooms suitable for conversation with a child, but the Shtip Police Station does not have such a room.

Detention rooms

The police station has 3 detention rooms (individual, that is, with one bed), which are used to accommodate detained persons.

Detention rooms meet international standards in terms of the size of the premises, that is, the standards established by the European Committee for the Prevention of Torture. Namely, all rooms have an area of 7.5 m².

Detention rooms are equipped with standardized beds attached to the floor. The rooms are made in a way and from materials that provide a high degree of protection of people from injuries, and as an additional protective measure is the video surveillance set in all detention rooms. In addition to the premises, there is video surveillance in the hallway in front of the detention premises. Also, a call system (intercom) was installed in the detention rooms, which was in operation in two detention rooms, while in the third it did not work.

In the hallway in front of the detention rooms, the rights of the detained persons in several languages are emphasized in a visible place. In the three rooms there are windows with protective glass.

Remains of broken glass were found in one of the rooms on the floor, and traces of blood were seen in another room.

The Shtip Police Station does not have a special room for conversations

with minors. Conversations with minors take place in the office of the inspector in charge of minors.

From the conversation with the shift manager and the inspector for minors, the NPM team was informed that until the moment of the visit they did not have a case of detention of a minor in the detention premises, but in exceptional situations when there is a need for a short conversation, this conversation is led exclusively by an inspector for minors, in the presence of a parent, a social worker, and a lawyer is called ex-officio. In that regard, the shift manager and the inspector for juveniles stated that they are satisfied with the cooperation with the Centre for Social Work.

Sanitary node

Within the Police Station Shtip there are separate toilets for the detained persons and for the employed officials. In the part where the detention rooms are located, there is a special toilet that is used exclusively by the detained persons.

After the inspection of the toilet, the NPM did not notice any items that could be used for self-harm of the detained persons, but the hygiene was at a very low level.

2.8.2. Realization of the rights of the detained persons

At the very entrance of the Police Station of general competence, Shtip, a poster was placed in a visible place, emphasizing the rights of the summoned, detained and detained persons in seven languages, and in a visible place in the hallway of the Police Station the Code of Police Ethics is placed.

Information and lessons on the rights of the detained persons were displayed in the reception room (the shift manager's office), in the office for conversation with detained persons, as well as in the detention section where the three detention rooms are located.

At the entrance of the Police Station, a box of the Sector for Internal Affairs has been placed, where the citizens can file a complaint for the actions of the police officers during the execution of the police authorizations.

The NPM team was informed by the commander and the shift manager of the police station that the detainees and persons deprived of liberty in the police station are also informed about the right to call a defence counsel, to inform a third party about their arrest, that is, deprivation of liberty, as well as the right to seek medical attention.

In the conversation with the commander and the shift manager of the police station, NPM was informed that the Police Shtip has a separate budget of 1000.00 denars for food of the detained persons.

2.8.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow in the books and following of the events, without crossing out in any of the sections, no corrective means are used. However, from our detailed insight into records and registers, we have identified the following shortcomings:

From the inspection in the **Register for persons deprived of liberty and detained persons**, NPM determined that it is conducted clearly and legibly, there is a sequence of events, but there are omissions in terms of orderliness and failure to complete certain sections. What should be positively emphasized is that, for persons whose freedom is restricted on any grounds, a monthly recapitulation is made, whereby at the end of the month a red line is drawn and the number of detained, summoned and detained persons in police station is marked.

During the inspection in the **Record for complaints from citizens against police officers**, NPM states that few events were registered in it. The most common reasons for citizens to file complaints are unprofessional conduct and failure to undertake measures by police officers. Also, as is the practice in other general police stations, there is a lack of information in the sections on the measures undertaken against the police officer to whom the complaint relates, because the police station never receives feedback from the Department of the Interior regarding the course and outcome of the procedure.

From the inspection performed by the NPM team in the **Records for use of means of coercion**, it is concluded that the most common means of coercion used by the police officers in PS Shtip are lever and handcuffs, in none of the cases there was a consequence of the used means of coercion and all cases are assessed as justified by the police station commander.

The NPM team, during the inspection of the records books in PS Shtip, also inspected the folders/files of persons who were detained, deprived of liberty or detained in the Police Station. From the inspection, it is concluded that the folders are perfectly neatly kept, contain all the necessary documents, the information in the documents corresponds to the information in the records books.

2.8.4. Recommendations and actions upon recommendations

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

In this context, these are some of the submitted recommendations and responses by the Ministry of Interior and the Commander of PS Shtip.

Review no.15

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
To provide funds for special rooms for conversation and keeping children within the Police Station Shtip;	On our part, the Special Report has been submitted to the Department for General and Common Affairs for acting on the given recommendation, which is within the scope of affairs within their competence;
To install a special exhaust fan for air purification and refreshment on the windows of the detention rooms;	On our part, the Special Report has been submitted to the Department for General and Common Affairs for acting on the given recommendation, which is within the scope of affairs within their competence; The Department for General and Common Affairs has issued a notification that the Action Plan for Reconstruction by Priority with Adaptation and Reconstruction of Detention Premises will begin after the completion of the procedure for public procurement of services for ongoing maintenance of facilities in the Ministry of Interior, by selecting a firm and concluding a framework agreement with it.
To provide vehicles for the needs of the Shtip Police Station;	On our part, the Special Report has been submitted to the Department for General and Common Affairs for acting on the given recommendation, which is within the scope of affairs within their competence;

Review no.16

Overview of recommendations given to PS Shtip	
Recommendations	Response upon recommendation
<p>To put into operation a special part with two rooms for reception of detained and detained persons and conversation and interrogation of these persons;</p>	<p>The Police Station of General Competence Shtip already has a special space in which it has built two reception rooms that are provided with video surveillance and can serve for the reception of citizens and conducting informative talks with them, but due to lack of office space, because with the establishment of the Centre for Notification and Command (CNC) at SIA Shtip in one of the offices in the Police Station of General Competence Shtip where the guides of the security zones were located, in the fourth and fifth security zone, the CNC is located, so they were moved to one of the reception rooms for citizens, so at the moment only the office for reception of citizens in which the inspector for admission-shift manager in the Police Station of General Competence Shtip works is operational. .</p> <p>Response by the Public Security Bureau</p> <p>In relation to the stated recommendations, the Police Station of General Competence Shtip submitted to the SIA Shtip a request dated 29.01.2020 for overcoming the ascertained shortcomings of the visit of the NPM, that is, in order to put a separate part with two rooms for the reception of detainees and detained persons and conversation and interrogation with them into operation a spatial solution in the building of SIA Shtip should be found for relocation of the office of Guides of security zones in another office, which would free the reception and conversation offices with the detained and detained persons and the special entrance would be put into operation</p>
<p>To put into operation the special entrance for detainees or persons deprived of liberty</p>	<p>There are no reasons for the special entrance for detained and persons deprived of liberty not to be put into operation, but there is a problem with lack of persons for admission - shift managers because based on the systematization of job positions it is envisaged that PS of GC Shtip has 5 shift managers, and currently there are only 2 shift managers, which is why it is impossible to enable a 24-hour coverage of the space and the office, so in the periods when there are no shift managers, this space would remain uncovered and without the presence of officials.</p>

**Overview
of recommendations given to PS Shtip**

Recommendations	Response upon recommendation
<p>In the detention premises, to maintain high level of hygiene, to repair the damaged installation of the call and communication system;</p>	<p>In the premises for detention of persons, the hygiene is maintained on a daily basis, and during the working visit by the NPM team, when there were certain remarks, the hygienists were immediately given the task to take measures for arranging and cleaning the premises. Although damage was found on one of the installations for calling and communication, the PC of GC Shtip regularly inspects the detention premises, and for any damage to any installation or other device, requests for removal of the defect are submitted in a timely manner, but there is a constant occurrence that persons detained in the premises damage parts of the devices and equipment in the specified premises.</p> <p>Response by the Public Security Bureau</p> <p>Regarding the recommendation for maintaining hygiene, removal of all objects whereby intimidation could be performed or which would be suitable for self-harm, immediate measures were undertaken and the premises were cleaned and the mentioned objects were inspected and removed.</p>
<p>From the official offices where conversations and examinations are conducted, that is detention is performed, to remove all objects with which intimidation could be carried out or which would be suitable for self-harm.</p>	<p>The PC of GC Shtip, that is, the commander and the deputy commander, immediately gave instructions to the person in charge of admission- the shift manager to perform checks in all offices and to remove all objects that could serve to intimidate or for self-harm of the persons who are detained in the premises of the Police Station of General Competence Shtip.</p>
<p>To remove the marked trace of blood from the detention premises, as well as to remove the pieces of glass that could be used for possible self-harm;</p>	<p>As it was stated, the hygienists were immediately instructed to clean the premises, and the noted trace of blood and several pieces of glass were removed.</p>

**Overview
of recommendations given to PS Shtip**

Recommendations	Response upon recommendation
<p>Improving the methods for identification and work with potential victims of human trafficking, as well as the application of Standard Operating Procedures (SOPs) for dealing with victims of trafficking in human beings;</p> <p>Attendance of trainings in the field of: appropriate international regulations (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, etc.), first aid; the right to international and temporary protection (asylum), etc.;</p>	<p>Police officers from the Police Station of General Competence Shtip who work as inspectors for admission-shift managers and guides of security areas have attended trainings listed in the recommendations, but due to the constant staff redeployment it is necessary to provide additional training according to the annual training programme of the Ministry of Interior which will be attended by the police officers for reception-shift managers and the guides of the security zones, and preferably by the other police officers who work at the Police Station of General Competence Shtip.</p> <p>Response by the Public Security Bureau</p> <p>According to the annual training programme at the Public Security Bureau, SOP trainings were planned aimed at dealing with victims of trafficking in human beings and SOP for dealing with persons whose right to freedom of movement is restricted (detained, deprived of liberty and detained persons) and these trainings upon request from SIA Shtip will be conducted.</p>
<p>Up-to-date keeping of records and filling in all sections of the registers;</p>	<p>The Commander of the Police Station of General Competence Shtip gave instructions to all police officers to keep the records up to date and fill in all the sections in them, and in the past it was concluded that all records are kept properly and all sections are properly filled..</p> <p>Response by the Public Security Bureau</p> <p>Regarding the updating of the indicated records and issuance of certificates for temporarily confiscated and returned items from the detained persons, the records are duly updated and all necessary sections are filled in according to the data from the forms.</p>

**Overview
of recommendations given to PS Shtip**

Recommendations	Response upon recommendation
<p>Issuance of certificates for temporarily confiscated items from the detained person and issuance of certificates for their return;</p>	<p>After receiving the report, the Commander of the Police Station of General Competence Shtip, instructed the persons for admission-shift managers to prepare certificates for each detained person for whom items are temporarily confiscated during his stay in the detention premises, so that these persons would be issued certificates for temporary confiscation of items, as well as certificates for their return.</p> <p>Response by the Public Security Bureau</p> <p>Appropriate certificates for temporarily confiscated items from the detained person and a certificate for their return after the end of the detention will be prepared for each future detention.</p>
<p>To repair the defect of the vehicle for the transport of detainees and persons deprived of liberty;</p>	<p>The Commander of the Police Station of General Competence Shtip and the rest of the senior staff several times submitted problem - related information and requests to the Chief of SIA Shtip, the Police Department at SIA Shtip and OZR of SIA Shtip, requesting that the official vehicle “Volkswagen” which is especially fitted with space for accommodation of detained persons, as well as persons deprived of liberty to be repaired and put into operation, and if the respective vehicle cannot be repaired to procure a new special vehicle.</p> <p>Response by the Public Security Bureau</p> <p>Regarding the above recommendations, the Police Station of General Competence Shtip submitted to the SIA Shtip a request for overcoming the established shortcomings of the visit of the NPM, also for a vehicle for transporting detainees and persons deprived of liberty again a request for repair or procurement of a new vehicle for that purpose was submitted.</p>

**Overview
of recommendations given to PS Shtip**

Recommendations	Response upon recommendation
<p>To repair the damaged installation of the system for calling and communicating the detained persons in one of the detention rooms and to put it into operation.</p>	<p>Despite the measures undertaken so far by the Police Station of General Competence Shtip regarding the improvement of the situation, the commander will again submit a request for undertaking measures by each organizational unit within its competencies to overcome the identified shortcomings and improve the conditions.</p> <p>Response by the Public Security Bureau</p> <p>Regarding the above recommendations, the Police Station of General Competence Shtip submitted to the SIA Shtip a request for overcoming the identified shortcomings of the NPM visit, that is, for repairing the damaged installation of the system for calling and communicating with the duty service.</p>



2.9

POLICE STATION OF GENERAL COMPETENCE PROBIŠTIP

On October 9, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Probishtip**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Municipality of Probishtip is located in the north-eastern part of the Republic of North Macedonia and covers an area of 325.6 km², with a population of 16,193 inhabitants. It is bordered on the north by the Municipality of Kratovo, on the west by the Municipality of Sveti Nikole, on the south by the Municipality of Shtip, and on the east by the Municipality of Kocani. The administrative centre Probishtip is located at a distance of about 100 km from Skopje. The municipality is a mining area.

The Police Station of General Competence Probishtip is located in the town of Probishtip and is housed in a solid building, built in the second half of the last century. The architecture of the building is more recent and with certain extensions it fits the function. The police station Probishtip is organizationally part of the Sector for Internal Affairs (SIA) Shtip, which means that it is responsible for its work before the Chief of SIA Shtip.

An access ramp for people with disabilities has been built at the police station, located on the side of the entrance to the administrative services. According to the information received from the police officers, in case of need for such an access to the police station itself, the entrance to the administrative services is used, because it also leads to the police station on duty.

From the conversations with the assistant commander and with the police officers, the NPM team concluded that they rarely attend trainings for dealing with detained and

detained persons, despite the fact that the police officers are interested in this type of training.

2.9.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

The NPM team determined that there is a special room in PS Probishtip for conducting a conversation with persons deprived of liberty, but it is not equipped with appropriate equipment (no computer), however, conversations with persons deprived of liberty are conducted in this room.

During the inspection of the room, the NPM team determined that the rights of the detained, deprived of liberty and detained persons were not displayed.

The Law on Justice for Children stipulates that conversation with a child is conducted in separate rooms suitable for conversation with a child of its age, but the NPM team concluded that the Probishtip Police Station did not have a separate room for conversation with minors.

Detention rooms

PS Probishtip has two renovated rooms for individual detention, with one bed each.

Both detention premises meet the standards for accommodating detainees in terms of their size. Namely, the first detention room is 5.29 m² in size, and the second room is 5.39 m² in size. The temperature in the detention rooms is within the acceptable range of about 23 °C, while the air humidity was around 42% RH.

The detention rooms have been recently renovated. They are in operation, but not yet fully completed, in the context that there is no interphone for the detained persons to communicate with the shift manager, so the communication is accomplished by a police officer visit and talk at half-hour intervals or by calling (shouting or knocking) by the detained person.

No video surveillance system was installed in the detention premises, and there were no instructions on the rights of the detained person.

The access to the detention premises is exclusively by stairs, more precisely the standards for access of persons with special needs are not met, and at the same time, in PS Probishtip there is no separate rear entrance to these premises through which the detained and detained persons would be led.

The Probishtip Police Station does not have a separate room for child detention, different from the detention premises for adults, despite the fact that it is explicitly provided for in the Law on Justice for Children.

Sanitary node

Within the Police Station Probishtip there are separate toilets for the detained persons and for the employed officials.

In the part where the detention rooms are located, there are special toilets that are used exclusively by the detained persons. From the inspection of the toilets at the moment of the visit, NPM concluded that they were functional.

2.9.2. Realization of the rights of the detained persons

In the Police Station, posters with the rights of the summoned persons, persons deprived of liberty and detained persons, as well as the persons - victims of criminal offenses, in several languages, are displayed in several places.

In a conversation with the shift manager who was on duty, the NPM team got the impression that he had experience in the work and was well acquainted with how to deal with the summoned, detained and detained persons. Namely, according to the received information, the persons deprived of liberty are always informed about their rights during the very arrest in the Police Station. All detained persons are notified of the right to consult a defence counsel, but very rarely the detained person seeks a defence counsel from the register that is made available to them, because the person already has his own defence counsel.

A person deprived of liberty is also guaranteed the right to food, and the standard operating procedures of the Ministry of Interior determine a meal for the detained person during the detention period (if it is detained for more than 6 hours).

There is no inspector at the Police Station who will work exclusively with children. The problems for juvenile delinquency are covered by the inspector in charge of crime of general jurisdiction, to whom this matter has been added.

From the inspection in the room of the shift manager, it was determined that the rights of the citizens are displayed in it, which gives an opportunity for the summoned, detained or detained persons to be informed and acquainted with their rights. Also, in the room of the shift manager, there are several copies in plasticized form, on which the rights of the persons deprived of liberty are emphasized.

2.9.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow in the books and following of the events, without crossing out in any of the sections, no corrective means was used. However, from our detailed insight into records and registers, we have identified the following shortcomings:

During the visit, the **Records of Citizens' Complaints against Police Officers** and the **Records of the Use of Coercive Means** were not available to the NPM team, as the Deputy Commander in charge of keeping these records was not at work.

In this regard, the NPM team points out that records of interest to NPM must be available for inspection at any time, and recommends that the Ministry of Interior make a methodology according to which records will be available for inspection by a competent authority, regardless of whether any of the police chiefs is not at work.

2.9.4. Recommendations and actions upon recommendations

The Ombudsman - NPM prepared a Special Report on the ascertained conditions of the visit with specific recommendations, which it submitted to the Ministry of Interior, as well as to the Commander of the Probishtip Police Station.

In this context, these are some of the submitted recommendations and the responses of the Ministry of Interior and the Commander of PS Probishtip.

Review no.17

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
To provide a special room for detention of children in PS Probishtip in accordance with the legislation on justice for children;	The Department for General and Common Affairs notified that the Action Plan for Reconstruction by Priority with Restoration and Reconstruction of Detention Premises will start with the completion of the procedure for public procurement of services for ongoing maintenance of facilities in the Ministry of Interior, with the selection of company and conclusion of the framework agreement with it.

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

Recommendations	Response upon recommendation
To build a separate rear entrance to the detention premises through which the detained and detained persons would be led, and at the same time to provide access for persons with special needs to the detention premises;	At the Police Station of General Competence Probishtip, on the south side of the building, there is a separate rear entrance to the detention premises, which is used to lead detainees and detained persons. This entrance is on the same level with the detention premises, without impediments, which meets the standards for access by persons with special needs to the detention premises.

Review no.18

**Overview
of recommendations given to PS ProbiShtip**

Recommendations	Response upon recommendation
To install a communication system (interphone) in the detention room, so that the detained person would be able to inform the police officers about his needs;	The police station of general competence Probishtip requested from SIA Shtip urgent installation of an interphone and installation of video surveillance.
Take urgent measures to establish video surveillance in detention premises in accordance with Standard Operating Procedures;	The police station of general competence Probishtip requested from SIA Shtip urgent installation of an interphone and installation of video surveillance.
In order to fully inform the citizens about their rights, when they are detained in the police station, the rights of the citizens are to be displayed in the detention room, as well as in the room for conversation and interrogation;	In the room for interrogation and conversation with persons, a board with the rights of the detained persons in several languages is displayed, and in the detention rooms the rights of the detained persons are visible.

Overview of recommendations given to PS ProbiShtip	
Recommendations	Response upon recommendation
To build a separate rear entrance to the detention premises through which the detained and detained persons would be led, and at the same time to provide access for persons with special needs to the detention premises.	At the Police Station of General Competence ProbiShtip, on the south side of the building, there is a separate rear entrance to the detention premises, which is used to lead detainees and detained persons. This entrance is on the same level with the detention premises, without impediments, which meets the standards for access of persons with special needs to the detention premises.



2.10

POLICE STATION OF GENERAL COMPETENCE DELCHEVO

On October 10, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Delchevo**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Delchevo Police Station is a police station of general competence at the Sector for Internal Affairs - Shtip (SIA Shtip), and the local competence for performing police activities covers the area of the municipalities of Delchevo and Makedonska Kamenica, where the Police Station has a Police Department. The total population in the area of the two municipalities is about 25-6 thousand inhabitants.

The offices of the Police Station officials are located in a building that simultaneously houses the offices of the inspectors of the EOCA Delchevo (External Office for Criminal Affairs Delchevo - near Shtip), as well as the offices of officials from the regional unit of the Ministry of Defence in Delchevo and the Regional Crisis Management Centre.

An access ramp has been built at the entrance, which also allows easy access to the official premises by people with certain physical disabilities.

The police station does not have a special plan for continuous training of police officers, but information was received that police officers are being sent for training, following a previously received invitation. In this regard, the presence of trainings related to dealing with domestic violence was highlighted.

2.10.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

The police station does not have special rooms for interrogation and conversation with detainees, that is, persons deprived of liberty.

Office No. 2 for conducting recognition sessions is also the office of the shift manager where the conversations with the detained and detained persons are led, and the inspectors also conduct the conversations with these persons in their official offices.

The Law on Justice for Children stipulates that conversation with a child is conducted in special rooms suitable for conversation with a child, but the Police Station does not have such premises either.

In this regard, the shift manager with whom the conversation was conducted pointed out that the conversations with the children are performed in the official offices of the inspectors in charge of juvenile delinquency, or in the office of the shift manager.

Detention rooms

The police station has 3 detention premises, of which 2 for individual detention and one for detention of two persons. They are located in the basement of the neighbouring building where the fire brigade's premises are located, which is physically separated from the building where the other PS offices are located, access to these rooms is exclusively through stairs, which are very steep.

From the inspection of the premises, it was concluded that all three rooms are without artificial lighting, with visible moisture on the walls, complete neglect of hygiene, no call system and no heating.

In room No. 1 there was no glass on the windows in the room, and in the other rooms the windows are nailed with bars and there is no flow of daylight.

Officials have provided various information regarding the period in which these premises were last used. Namely, according to some allegations, the premises were used until the end of 2016, while another information is that they have not been used for more than 5-7 years.

Based on the established situation, the NPM team concludes that the detention premises do not meet the minimum required domestic and international standards for detention of persons deprived of liberty and that the accommodation of persons in those premises could be considered inhumane and degrading treatment.

In this context, the NPM team recommends immediate sealing or conversion of the detention premises, and not to carry out long-term (more than 6 hours) detention of persons at the Delchevo Police Station. At the same time, it is necessary that the Police

Station be removed from the list of police stations where detention is carried out, until the construction of new detention premises that will meet the prescribed standards for detention of persons.

Sanitary node

Within the facility for detention of persons deprived of liberty, there is no special sanitary node for the detained persons, more precisely, the same toilets are used as for the officials.

2.10.2. Realization of the rights of the detained persons

At the very entrance of the police station, a poster, emphasizing the rights of the summoned, detained and detained persons in seven languages was placed in a visible place, and in a visible place in the hallway of the police station the Code of Police Ethics was placed. However, such a poster with instructions for the rights was not placed in the office of the shift manager, where the conversations with the persons deprived of liberty, that is, the detained and detained persons, are most often performed.

The NPM team was informed by the shift manager that the detainees and persons deprived of liberty in the police station were also informed about the right to call a defence counsel, to inform a third party about their arrest, that is, deprivation of liberty, as well as the right to request medical assistance. As a good practice, the NPM team points out the fact that the Police Station also has a list of authorized translators/interpreters who are called in case of arrest, that is, deprivation of liberty and detention of foreign nationals.

In a conversation with the officials at the Police Station, the NPM team was informed that there is a special budget of 1,000.00 denars intended for food for the detained persons.

At the entrance of the Police Station, a box of the Sector for Internal Affairs has been placed, where the citizens can submit a complaint for the actions of the police officers in the performance of the police authorizations.

2.10.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the records are kept regularly, but not very neatly and legibly, in the books there is a logical flow and following of events, no corrective means is used. However, from our detailed insight into records and registers, we have identified the following shortcomings:

From the inspection in the **Record for persons deprived of liberty and detained persons**, the NPM team concludes that the records for persons deprived of liberty and detained persons are conducted improperly and inaccurately, it lacks data, and the stated data were in accordance with the data in the Records of events. The event overview is drawn up on an annual basis.

From the completed inspection of the **Records for Detained Persons**, the NPM team concluded that the records are not kept quite neatly, but when checking the data listed in this book for records with the Book of Daily Events, it is obvious that the data in both books correspond. Overview of the events in the book for recording the detained persons is drawn up once for a period of one year.

From the inspection performed by the NPM team in the **Record for the use of means of coercion**, from the data stated in this book for records, the most common means of coercion used by the police officers in PS Delchevo are lever and handcuffs.

The NPM team, during the inspection of the documentation in PS Delchevo, also inspected the folders/files of persons who were detained at the police station. From the inspection, it was concluded that the folders were not completely neatly organized. During the inspection, inadequacy of data regarding instructions on the rights of persons deprived of liberty was ascertained. Namely, in the records for detained persons, a different time was given for the provided instructions on the rights of the persons than the one stated in the personal file of the same detained person.

The inadequacy of data related to instructions on the rights belonging to persons deprived of their freedom indicates the suspicion that persons deprived of their freedom are not being instructed in a timely manner or are not being instructed about their rights at all. Therefore, the NPM team recommends a clear, precise and timely keeping of records and documentation that are relevant to detainees, persons deprived of their freedom and detained persons.

2.10.4. Recommendations and actions upon recommendations

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

Until the preparation of the report, the Ministry of Interior and the Commander of the Police Station Delchevo did not submit any feedback, therefore the following is an overview of the recommendations given to the competent institutions.

Review no.19

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
The police station should be removed from the list of police stations where detention is carried out, until the construction of new detention premises that meet the prescribed standards for detention of persons;	No response was received from the Ministry of the Interior regarding this recommendation.
Urgent adjustment of special premises in the Police Station that will be used exclusively for conversations, and which will also be equipped with appropriate video surveillance;	No response was received from the Ministry of the Interior regarding this recommendation.
Urgently adjust rooms for conversation with children which are appropriate for their age and needs;	No response was received from the Ministry of the Interior regarding this recommendation.
To provide an appropriate vehicle by which the transport of detainees, that is, persons deprived of liberty and detained persons will always be carried out in a humane, safe and secure manner.	No response was received from the Ministry of the Interior regarding this recommendation.

Review no.20

Overview of recommendations given to PS Delchevo	
Recommendations	Response upon recommendation
The NPM team recommends that police officers from all levels of command and operation in police stations be acquainted with the competencies and mandate of the NPM;	At the Police Station of General Competence in Delchevo and PS M. Kamenica, police officers at all levels of command are aware of the competencies and mandate of the NPM and are informed that according to the law they are obliged to deliver and provide it with all the data required and which are under its competence, both to the NPM and to the accredited representatives by the NPM without any obstruction. A list with the signatures of the employees has been prepared relating thereto.

Overview of recommendations given to PS Delchevo	
Recommendations	Response upon recommendation
<p>Urgent sealing or conversion of the detention premises, and not to conduct long-term (more than 6 hours) detention of persons at the Police Station Delchevo;</p> <p>The NPM team recommends that the detention of persons in the Delchevo Police Station be reduced to the minimum necessary time for conversation and interrogation of detainees and persons deprived of their freedom, not more than 4 or 6 hours;</p> <p>Urgent adjustment of special premises that will be used exclusively for conversations, and which will also be equipped with appropriate video surveillance (recommendation addressed to the Ministry of Interior);</p> <p>Urgently adjust the chat rooms with children who would be appropriate for their age and their needs (recommendation addressed to the Ministry of Interior);</p>	<p>The material conditions in the Delchevo Police Station are the ones listed in the report. The building was built 40-45 years ago, and the buildings where the Crime Technicians and Administrative Services are located, as well as the detention premises were built 80-90 years ago and since then, no measures have been undertaken to repair and eliminate the shortcomings established by us and by you except for minor and ongoing repairs, although measures are constantly taken almost every year and it is promised that the situation will be resolved. Otherwise, OVR Delchevo is included in the reconstruction agenda planned by the Ministry of Interior for 2020, so we hope that it will be renovated and most of the established irregularities will be removed</p> <p>Regarding the detention premises, we would like to inform you that in the Police Station of General Competence Delchevo, the detainees have always been treated and are treated humanely, and several problem-related information has been written about the premises stating that the premises do not meet most of the standards provided for detention premises. Some time ago, this Police Station of General Competence on its own initiative, through the local self-government, made efforts to adapt and build new detention premises that would meet most of the standards, but it remained unfinished for unknown reasons.</p>

**Overview
of recommendations given to PS Delchevo**

Recommendations	Response upon recommendation
<p>To set up a poster with instructions on the rights in the office of the shift manager;</p>	<p>In case of long-term detention, the persons will be transported and transferred to stations where there are appropriate conditions for detention in accordance with the SOP (Berovo or Vinica).</p> <p>Regarding the premises for interrogation and conversation, I would like to mention again that the material and technical conditions are the ones that are listed and described in the Report and in which we work and fulfil our work obligations. We are aware of the recommendations and the laws, but the conditions are the ones we have. The Police Station of General Competence Delchevo, within its capabilities, is constantly working and will work to eliminate the shortcomings identified by you, of which we are aware, but the conditions are the ones we have.</p> <p>Regarding the procurement of certain means, I would like to mention that it does not depend on us, but on the possibilities and the budget for procurement of such means at the level of the Ministry of Interior - SIA, so when the means you recommend will be procured, the Police Station of General Competence Delchevo will apply them.</p>
<p>To provide an appropriate vehicle by which the transport of detainees, that is, persons deprived of liberty and detained persons will always be carried out in a humane, safe and secure manner (recommendation addressed to the Ministry of Interior);</p>	<p>The fleet we have is the one mentioned in the report and although we are acquainted with the standards of CPT and the recommendations of NPM, we inform you that at the level of SIA there is only one such vehicle in Kochani and the provision of such vehicle is not under the competence of OVR PS Delchevo, because we neither have nor have the funds to purchase such a vehicle.</p>

Overview of recommendations given to PS Delchevo	
Recommendations	Response upon recommendation
Urgently provide a list of lawyers registered in the bar register, and a list of on-duty lawyers and lawyers who have undergone training on treatment of children;	PS Delchevo will send a request to the Bar Association of RNM to provide us with a list of lawyers for our needs, while for the lawyers in Delchevo we have made a list with a name and contact phone number, which will be kept in the duty service premises and in the shift manager's room.
Greater updating and orderliness in terms of data entry in the written records and documentation at the Police Station;	The records are kept in accordance with the SOP and the indications given during the controls by the Ministry of Interior, SIA.
Take measures to improve the level of hygiene in the Police Station, especially in the area of toilets that spread an unpleasant odour.	The allegations regarding hygiene are correct, but it should be noted that the hygiene in all 3 buildings is maintained by a single hygienist who works part-time and is hired through an agency, that is, she is not employed in the Ministry of Interior.



2.11

POLICE STATION OF GENERAL COMPETENCE RADOVISH

On October 25, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Radovich**. This is the third visit to the Police Station by the team of the National Preventive Mechanism.

The Radovich Police Station is a police station of general competence at the Sector for Internal Affairs - Strumica (SIA Strumica), and the local competence to perform police activities covers the area of the municipalities of Radovich and Konche. The total population of the two municipalities is approximately 32 thousand inhabitants.

The Radovich Police Station is located in a relatively new building of solid construction and is located in the very centre of the city. The same building houses the offices of the municipal services for which there is a separate entrance.

An access ramp has been built at the entrance, which also allows easy access to the official premises by people with certain physical disabilities.

The Police Station conducts continuous trainings for the police officers for various issues in coordination with the SIA Strumica, and the last trainings referred to the ways of acting of the police officers in a multi-ethnic environment. There were also organized trainings on dealing with irregular migrants, as well as capacity building in the field of asylum.

2.11.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

The police station does not have special rooms for interrogation and conversation with persons deprived of liberty, that is, detained and detained persons. For that purpose, the official offices of the uniformed police officers are used, that is, the office of the shift manager, as well as the official offices of the inspectors.

The Law on Justice for Children stipulates that conversation with a child is conducted in special rooms suitable for conversation with a child, but the Police Station does not have such premises either. In this regard, it was also noted that conversations with children are conducted in the official offices of inspectors, or in the office of the shift manager.

In order to reduce the risk of inappropriate treatment, that is, harassment and intimidation of persons deprived of liberty, that is, detained and detained persons with whom conversations are held, the NPM team recommends adjusting special rooms that will be used exclusively for conversations, which will be at the same time equipped with appropriate video surveillance.

Detention rooms

The police station has 4 (four) rooms for individual detention, which are located in the basement of the station itself.

All are identical in size, that is, 2 metres long and 1.8 metres wide. In this context, the NPM team stated that the premises do not meet the minimum standards of at least 7m² for individual accommodation.

In each of the rooms there was a bed and equipment for rest (mattress, bedding, blanket and pillow), which were in poor condition, that is, used and dirty. In two rooms there was a fixed table and chairs.

The general hygiene in the premises was unsatisfactory, and in one of the premises two old surgical gauzes soaked in blood were found.

The rooms do not have access to daylight, and only one of the rooms had artificial light due to an installation problem. Namely, the police officers pointed out that due to some problem in the electrical installation, the lamps burn out very quickly.

Each of the detention premises had a built-in call system through which the detainee could alert in an emergency. There was also video surveillance in each room, and monitoring was set up in the on-duty service.

There is no room for minors' detention in the Police Station, and from the conversation with the shift manager we determined that an auxiliary room (kitchen) is used for that purpose.

Sanitary node

Within the facility for detention of persons deprived of liberty, there is no special sanitary node for the detained persons, more precisely, the same toilet is used as for the officials.

There is also a toilet for the officials on the ground floor, which is also used by the detainees. In order to prevent possible self-harm, the mirrors were removed from it.

2.11.2. Realization of the rights of the detained persons

A poster with the rights of the summoned, detained and detained persons in seven languages, as well as the Code of Police Ethics, were placed in a visible place in the hallway of the Police Station. Instructions on rights were also displayed in the office of the shift manager, as well as the hallway in front of the detention rooms and in the rooms themselves.

The NPM team was informed by the shift manager that the detainees and persons deprived of liberty in the police station are also orally informed about the right to call a defence counsel, to inform a third party about their detention, that is, deprivation of liberty, as well as the right to seek medical attention, which is appropriately noted in the relevant written forms.

In a conversation with the officials at the Police Station, the NPM team was informed that there is a special budget of 1,000.00 denars intended for food for the detained persons.

At the entrance of the Police Station, a box of the Sector for Internal Affairs has been placed, where the citizens can submit a complaint for the actions of the police officers in the performance of the police authorizations.

2.11.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections. The data in the records are regularly recorded, all the sections are filled in, and when correcting the entered data incorrectly, no corrective means are used.

From the inspection performed by the NPM team in the **Records for use of means of coercion**, according to the data stated in this book for records, the most common

means of coercion used by the police officers in PS Radovish are lever and handcuffs.

The NPM team, during the inspection of the documentation in the Police Station, also inspected the randomly selected folders/files of persons who were detained in the Police Station. From the performed inspection, it is concluded that the folders are kept neatly and contain all the documents and data. It is also clear from the files of the detained persons that in case of need for a lawyer or medical assistance, they are called in time, and it is visible that care is taken to search the persons exclusively by a police officer of the same gender.

2.11.4. Recommendations and actions upon recommendations

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

Until the preparation of the report, the Ministry of Interior did not provide a response, while the commander of the Police Station Radovish submitted a response that measures were undertaken upon the submitted Special Report and that it was sent to OZR Strumica. Therefore, an overview of the recommendations to the competent institutions is given.

Review no.21

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
The NPM team recommends hiring reception/ shift officials at the Radovish Police Station;	No response was received from the Ministry of the Interior regarding this recommendation.
To adapt a separate entrance to the Police Station that will be used to lead detainees;	No response was received from the Ministry of the Interior regarding this recommendation.
Urgent adjustment of special premises that will be used exclusively for conversations, and which will be equipped with appropriate video surveillance at the same time;	No response was received from the Ministry of the Interior regarding this recommendation.
Urgent adjustment of conversation rooms for children which would be appropriate for their age and needs;	No response was received from the Ministry of the Interior regarding this recommendation.

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

Recommendations	Response upon recommendation
Detention rooms should be urgently adapted and renovated in a way that meets the minimum standards for individual accommodation.	No response was received from the Ministry of the Interior regarding this recommendation.

Review no..22

**Overview
of recommendations given to PS Radovich**

Recommendations	Response upon recommendation
The NPM team recommends hiring reception/shift officials at the Radovich Police Station;	No response was received from PS regarding this recommendation.
To adapt a separate entrance to the Police Station that will be used to lead detainees;	No response was received from PS regarding this recommendation.
Adaptation of special rooms that will be used exclusively for conversations, and which will also be equipped with appropriate video surveillance;	No response was received from PS regarding this recommendation.
Urgent adjustment of conversation rooms for children which would be appropriate for their age and needs;	No response was received from PS regarding this recommendation.
Detention rooms to be urgently adapted and renovated in a way that would meet the minimum standards for individual accommodation;	No response was received from PS regarding this recommendation.
To urgently improve the conditions in the detention rooms and to provide basic hygienic conditions for stay (to remove undesirable objects, to provide clean mattresses and bedding).	No response was received from PS regarding this recommendation.



2.12

POLICE STATION OF GENERAL COMPE- TENCE DEMIR HISAR

On November 13, 2019, the National Preventive Mechanism conducted a regular un-announced visit to the **Police Station of General Competence Demir Hisar**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Municipality of Demir Hisar is located in the South-western part of the Republic of North Macedonia, or northwest of the Pelagonija lowland with 9,497 inhabitants and a territory of 480.13 km².

The Police Station of General Competence Demir Hisar is located in the town of Demir Hisar and is housed in a two-storey building. The upper part houses the offices of uniformed police officers and inspectors, the office of the commander, deputy commander, and shift manager, and at the bottom is the detention room and offices for administrative and legal matters. The architecture of the building is more recent and with certain extensions corresponds to the function.

At the entrance of the Police Station, an access ramp for people with special needs has not been placed yet, which makes it difficult for these people to access the Police Station.

From the conversations with the Deputy Commander and the police officers, the NPM team concludes that the police officers often attend training dealing with detained and detained persons and for domestic violence from the SIA Bitola

2.12.1. Material conditions

Rooms for interrogation and conversation with persons deprived of liberty and minors

The NPM team determined that there is no special room in the Police Station Demir Hisar for conducting a conversation with the persons deprived of liberty, so the conversations with the persons deprived of liberty are conducted in the room of the shift manager.

The Law on Justice for Children stipulates that conversation with a child is conducted in special rooms suitable for conversation with a child, but the Police Station does not have such premises either.

Detention rooms

As part of the Demir Hisar Police Station, there is only one renovated room for individual detention, with one bed. The detention room meets the standards for accommodation of detained persons in terms of the size, the room has an area of 7,70 m².

The detention room has been recently renovated. It is in operation, but not yet fully completed, in the context that there is no interphone for the detained persons to communicate with the shift manager, so the communication is accomplished by a police officer visit and talk at half-hour intervals or by calling (shouting or knocking) by the detained person. However, there is no video surveillance system in the detention room.

The detention room meets the standards for daylight and extra-artificial light, it has a window through which people have access to daylight. The room does not have a special exhaust fan for air purification and ventilation is carried out naturally through a small opening in the upper part of the door. The central heating and cooling system has not yet been installed in the detention room.

In the detention room there were no visible instructions about the rights of the detained person.

The access to the room is exclusively by stairs, more precisely the standards for access of persons with special needs are not met, and at the same time, in PS Demir Hisar there is no separate rear entrance to these rooms through which the detained and detained persons would be led.

The Demir Hisar Police Station does not have a separate room for child detention, different from adult detention premises, although it is explicitly provided for in the Law on Justice for Children.

Sanitary node

As part of the Demir Hisar Police Station, there are separate toilets for detainees and employees. In the part where the detention rooms are located, there is a special toilet that is used exclusively by the detained persons.

After the inspection of the toilet, the NPM did not notice any items that could serve for self-harm of the detained persons, but the hygiene was at a low level.

2.12.2. Realization of the rights of the detained persons

In the Police Station, posters with the rights of the summoned persons, persons deprived of liberty and detained persons, as well as the persons, victims of criminal offenses, in several languages, are displayed in several places.

Namely, according to the received information, the persons deprived of liberty are always informed about their rights during the very arrest in the police station. All detained persons are notified of the right to consult a defence counsel, but very rarely the detained person seeks a defence counsel from the register that is made available to them, because the person already has his/her own defence counsel.

A person deprived of liberty is also guaranteed the right to food, and the standard operating procedures of the Ministry of Interior determine a meal for the detained person during the detention period (if the person is detained for more than 6 hours).

There is no inspector at the Police Station who will work exclusively with children. The issue of juvenile delinquency is taken over/covered by the criminal police inspector, to whom this matter has been delegated.

The NPM team also inspected the shift manager's room and determined that it was tidy and properly equipped. From the inspection in the room of the shift manager, it was determined that the rights of the citizens are displayed in it, which gives an opportunity for the summoned, detained or detained persons to be informed and acquainted with their rights. Also, in the room of the shift manager, there are several copies in plasticized form, on which the rights of the persons deprived of liberty are displayed.

2.12.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections.

During the inspection of the Record for complaints from citizens against police of-

fficers, NPM states that few events were registered in it. The most common reasons for submitting complaints by citizens are unprofessional conduct and failure to undertake measures by police officers.

Also, as is the practice in other police stations of general competence, there is a lack of information in the sections on the measures undertaken against the police officer to whom the complaint relates, because the police station never receives feedback from the Department of the Interior regarding the course and outcome of the procedure. What should be noted is that in all complaints there is a report on the submitted complaint.

From the inspection that the NPM team performed in the Record for the use of means of coercion, it is concluded that the book is kept clear and orderly, all the sections are filled in. The most common means of coercion used by police officers in the Police Station Demir Hisar are lever and handcuffs, in none of the cases was there a consequence of the used means of coercion and all cases are assessed as justified by the Commander of the Police Station.

The NPM team, during the inspection of the record books in the Police Station Demir Hisar, also inspected the folders/files of persons who were detained , deprived of liberty or detained in the police station. From the inspection, it is concluded that the folders are perfectly neatly kept, contain all the necessary documents, the information in the documents corresponds to the information in the record books.

2.12.4. Recommendations and actions upon recommendations

The National Preventive Mechanism - NPM prepared a Special Report on the established conditions of the visit with specific recommendations, which it submitted to the Ministry of Interior, as well as to the Commander of the Police Station Demir Hisar.

In this context, these are some of the submitted recommendations and responses of the Ministry of Interior and the Commander of the Police Station Demir Hisar.

Review no.23

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
Timely implementation of the Action Plan for reconstruction of police stations, which includes PS Demir Hisar and adaptation of the detention room in accordance with the standards of the Committee for Protection against Torture;	The Department for General and Common Affairs submitted a notification that the Action Plan for Reconstruction of Priority with Rehabilitation and Reconstruction of Detention premises will start with the completion of the procedure for public procurement of services for ongoing maintenance of facilities in the Ministry of Interior, with the selection of a company and concluding a framework agreement with it.
To provide funds for special rooms for conversation and detention of children within the Police Station Demir Hisar;	Request for equipping a special room for detention of children and construction of an access ramp for people with special needs.

Review no.24

Overview of recommendations given to PS Demir Hisar	
Recommendations	Response upon recommendation
The police station to undertake measures for authorization of another person who will accept persons in the absence of the shift manager;	The Police Station of General Competence Demir Hisar submitted a request to the SIA Bitola to fill the vacant job positions - shift manager.
A call and video surveillance system should be installed in the detention room, so that the detained persons could inform the police officers in time about their needs;	Request for installation of a video surveillance system in the detention room

**Overview
of recommendations given to PS Demir Hisar**

Recommendations	Response upon recommendation
<p>To ask the Bar Association to submit an updated list of lawyers through which the detained persons will be able to exercise their right to legal aid. The Police Station to inform the Bar Association about the situations when lawyers, from the list of duty lawyers called in the period from 20:00 to 08:00 in the morning, refuse to respond and provide legal assistance to the detained persons;</p>	<p>A request has been sent to the Bar Association for submission of an updated list of lawyers through which the detained persons will be able to exercise their right to legal aid.</p>
<p>The detention room should not be used for the detention of children.</p>	<p>Equipping a special room for the detention of children.</p>



2.13

**POLICE STATION OF GENERAL COMPE-
TENCE KRUSHEVO**

On November 13, 2019, the National Preventive Mechanism conducted a regular unannounced visit to the **Police Station of General Competence Krushevo**. This is the second visit to the Police Station by the team of the National Preventive Mechanism.

The Krushevo Police Station is a police station of general competence within the Sector for Internal Affairs - Bitola (SIA Bitola). The local competence for performing police activities covers the area only of the Municipality of Krushevo. The total population of this area is about 9,684 inhabitants (according to the 2002 census, and the current figure is assumed to be lower).

The Police Station of General Competence Krushevo is located in two buildings. It shares the space in both buildings with other services and departments of other ministries, the External Office for Criminal Affairs and the Firefighting Service. The older building, built in 1902, houses the administration. Neither of the buildings of the Police Station has easy access to the infrastructure of the settlement.

At the entrance of the building, which is an integral part of the Police Station, no access ramp has been built, which prevents access to the official premises of persons with certain physical disabilities.

From the conversation with the commander of the Police Station, information was received that the employees attend 4 to 5 trainings per year, including on topics such as the fight against domestic violence. More experienced officials and shift managers conduct trainings as mentors.

2.13.1. Material conditions

Rooms for Interrogation and conversation with persons deprived of liberty and minors and detention rooms

Be means of the Decision for determination of police stations for detention of persons, adopted by the Ministry of Interior in 2018, PS Krushevo is not determined as a police station for detention of persons. The persons to be detained are usually referred to the Police Station Prilep or in rare cases to the Police Station Demir Hisar.

PS Krushevo does not have premises for detention of persons at all. It also does not have search and conversation rooms. Conversations with detainees are conducted in the shift manager's office or less frequently in the EOCA office, but the shift manager is always present.

2.13.2. Realization of the rights of the detained persons

At the very entrance of the Police Station, but also in the office of the shift manager, a poster was placed in a visible place, highlighting the rights of the summoned, detained and detained persons in seven languages, and in a visible place in the hallway of the Police Station the Code of Police Ethics is placed. At the entrance of the Police Station, a box for sending complaints and grievances from citizens to the Sector for Internal Control and Professional Standards was placed.

The team of the National Preventive Mechanism was informed by the commander and the shift manager at the Police Station that all detainees, that is, persons deprived of liberty, are informed about the right to call a defence counsel, to inform a third party about their detention, that is, deprivation of liberty, and for the right to seek medical attention.

If there is a child in the Police Station who is suspected of committing a crime, a representative of the Centre for Social Work and the child's parent are always called. If there is a need to transport the child to another police station, this is always done in an unmarked Fiat Linea vehicle.

The police station does not have an adequate budget for food for detained persons, but if necessary, officials collect money to buy food for the detainee, that is, the person deprived of liberty.

2.13.3. Records and registers of detained persons

The general conclusion of the team of the National Preventive Mechanism is that the registers are filled in neatly and legibly and that there is a logical flow and following of the events in the books, without crossing out in any of the sections. The data in the records are regularly recorded, all sections are filled in, and when correcting incorrectly entered data, no corrective means are used.

From the inspection performed by the NPM team in the **Register for the use of means of coercion** - according to the data stated in this book of records, the most common means of coercion used by police officers in PS Krushevo are handcuffs, and all previously used means of coercion are assessed for justified.

The NPM team, during the inspection of the documentation in the police station, also inspected the randomly selected folders/files of persons who were detained at the Police Station. From the performed inspection, it is concluded that the folders are kept neatly and contain all the documents and data. Also, from the files of the detained persons, it is obvious that in case of need for a lawyer or medical assistance, they are called in time, and it is visible that care is taken to search the persons exclusively by a police officer of the same gender.

2.13.4. Recommendations and action upon recommendations

The National Preventive Mechanism - NPM prepared a Special Report on the established conditions of the visit with specific recommendations, which it submitted to the Ministry of Interior, as well as to the Commander of the Krushevo Police Station.

Until the preparation of the report, the Ministry of Interior and the Commander of the Police Station Krushevo did not provide any feedback, therefore the following is an overview of the recommendations given to the competent institutions.

Raview no.25

Overview of recommendations given to the Ministry of Interior	
Recommendations	Response upon recommendation
The NPM team recommends immediate employment of reception/ shift officials at the Krushevo Police Station;	No response was received from the Ministry of the Interior regarding this recommendation.
To build an access ramp to the Police Station for people with disabilities to have unimpeded access to it;	No response was received from the Ministry of the Interior regarding this recommendation.
To provide an appropriate vehicle by which the transport of detainees, that is, persons deprived of liberty and the detained persons will always be carried out in a humane, safe and secure manner;	No response was received from the Ministry of the Interior regarding this recommendation.
Urgently adapt special rooms that will be used exclusively for conversations, which will also be equipped with appropriate video surveillance, as well as conversation rooms with children that would be appropriate for their age and their needs;	No response was received from the Ministry of the Interior regarding this recommendation.

Raview no.26

Overview of recommendations given to PS Krushevo	
Recommendations	Response upon recommendation
The NPM team recommends immediate employment of reception/shift officials at the Krushevo Police Station;	PS Krushevo does not have the competence and opportunity to remove them, that is, the Ministry of Interior of RNM is exclusively competent to remove this remark, and the Ministry of Interior through the SIA Bitola has been informed about the respective recommendation and for that reason the current situation remains unchanged.

Overview of recommendations given to PS Krushevo	
Recommendations	Response upon recommendation
To build an access ramp to the Police Station for people with disabilities to have unimpeded access to it;	PS Krushevo does not have the competence and opportunity to remove them, that is, the Ministry of Interior of RNM is exclusively competent to remove this remark, and the Ministry of Interior through the SIA Bitola has been informed about the respective recommendation and for that reason the current situation remains unchanged.
To provide an appropriate vehicle by which the transport of detainees, that is, persons deprived of liberty and detained persons will always be carried out in a humane, safe and secure manner;	PS Krushevo does not have the competence and opportunity to remove them, that is, the Ministry of Interior of RNM is exclusively competent to remove this remark, and the Ministry of Interior through the SIA Bitola has been informed about the respective recommendation and for that reason the current situation remains unchanged.
Urgently adapt special rooms that will be used exclusively for conversations, which will also be equipped with appropriate video surveillance, as well as rooms for conversation with children which would be appropriate for their age and needs;	PS Krushevo does not have the competence and opportunity to remove them, that is, the Ministry of Interior of RNM is exclusively competent to remove this remark, and the Ministry of Interior through the SIA Bitola has been informed about the respective recommendation and for that reason the current situation remains unchanged.
Provide a list of lawyers by the Bar Association.	A list of lawyers has been provided by the Bar Association.

GENERAL RECOMMENDATIONS FOR THE VISITED POLICE STATIONS IN 2019

1. For each detention of a person in the Police Station, it is appropriate to adequately comply with the "Standard operating procedures for dealing with persons whose right to freedom of movement is restricted (detained, deprived of liberty and detained persons)", whereby persons will be immediately made familiar with the reasons for their detention, will be taught about their rights, especially the right to inform a third party about their detention, the right to a defence counsel, and the right to medical assistance. Officials are also obliged to undertake all necessary preventive measures to protect such persons from (self) injury, and are also obliged to properly note all violations, complaints or other statements of these persons that would indicate possible inappropriate actions against them;
2. Adaptation of special rooms for interrogation and conversation with detainees and persons deprived of liberty which will be equipped with video surveillance that will contribute to reducing the risk of possible inappropriate actions (torture, threats, intimidation) during the examinations, that is conversations with the summoned, detained, persons deprived of their freedom or detained persons, as well as of unfounded allegations of alleged such conduct by officials;
3. When constructing new detention premises, to take into account the performance of an appropriate access for persons with special needs, as well as the performance of the rear entrance for leading persons deprived of liberty;
4. To have special toilets for officials and persons deprived of liberty that will be arranged in accordance with the safety principles and will be located near the detention premises;
5. To improve the hygiene in the detention premises, and the officers in the Police Stations to introduce a system of regular control over the hygiene and the equipment in the detention premises, in accordance with the Standard operating procedures;
6. To undertake measures for adjustment and equipping of rooms for conversation and detention of children, in accordance with the Law on Justice for Children;
7. To adjust a separate room for conversation with children, in accordance with the Law on Justice for Children;
8. To undertake urgent measures so as to eliminate technical malfunctions in the call and video surveillance system;
9. The fleet of the Police Stations should be increased with an additional number of vehicles according to the needs, due to the smooth and timely execution of the police activities;

10. The beds in the detention rooms should be equipped with the necessary means for rest and overnight stay - a suitable mattress, clean blankets and pillows;
11. In cases when detainees are detained at the Police Station, that is persons deprived of liberty whose number exceeds the capacity of the Police Station for detention of persons, their detention should be short-term (not more than 4 hours), and in cases when there is a need for long-term detention, these persons should be transported to the nearest Police Stations that meet the conditions for detention of people;
12. Increasing the number of shift managers/employees for admission in the Police Station and mandatory training of these officials in the part of the practical implementation of the "Standard operating procedures for dealing with persons whose right to freedom of movement is restricted (detained, deprived of liberty and detained persons);
13. To issue certificates for temporarily confiscated items from the detained person and to issue certificates for their return;
14. The NPM team recommends that the police officers from all levels of command and operation in the police stations be acquainted with the competencies and the mandate of the NPM;
15. To provide an adequate vehicle whereby the transport of the detained, that is persons deprived of liberty and detained persons will always be performed in a humane, safe and secure manner;
16. Greater diligence and orderliness regarding the entry of data in the written records and documentation in the police station;
17. To request the Bar Association to submit an updated list of lawyers through which the detained persons will be able to exercise their right to legal aid. The police station to inform the Bar Association about the situations when lawyers, from the list of duty lawyers called in the period from 20:00 to 08:00 in the morning, refuse to respond and provide legal assistance to the detained persons.

3

VISIT TO PENITENTIARY-CORRECTIONAL AND EDUCATIONAL-CORRECTIONAL INSTITUTIONS AND ESTABLISHED SITUATIONS

During 2019, visits were made to the Shtip Penitentiary, the Open Unit of the Kumanovo Prison in Kriva Palanka, the Prilep Prison, the Arresting Unit at the Clinical Centre Skopje, the Ohrid Prison, as well as the Tetovo Educational - Correctional Institution, which is located in the Ohrid Prison.

The visits were made as unannounced, based on a previously prepared visit plan, in accordance with the Methodology and the Rulebook on the manner of conducting prevention from torture and other types of cruel, inhuman or degrading treatment or punishment. Thereby, the visits were made in cooperation with external associates and experts from several areas.

On each of the visits, the team of the National Preventive Mechanism especially emphasized the ban on sanctions against any person or organization for submitting information to the NPM, whether they are false or true, and it was emphasized that for the submitted information no person or organization must not be harmed in any other way.



3.1

PENITENTIARY-CORRECTIONAL INSTITUTION SHTIP

The visit to the Shtip Penitentiary was conducted on September 12, 2019, in cooperation with external associates including: forensic scientist from the Institute of Forensic Medicine, Criminology and Medical Deontology, social worker from the Association of Social Workers of the City of Skopje, and a representative from the Association of Young Lawyers.

3.1.1. General data

According to the level of security, the degree of restriction of freedom and the types of treatment applied to convicts, CPI Shtip is a penitentiary institution of closed type in which there is a high degree of physical and material security, and according to the "Decision on the distribution of convicts and the juveniles in the penitentiary-correctional and educational-correctional institutions and the detainees in the detention units of the penitentiary-correctional institutions" in the penitentiary the following categories of persons are accommodated:

- Male persons - repeat offenders, sentenced to over 6 months in prison, that is, when the rest of the sentence after the calculated detention is over 6 months, from the area of the basic courts: Berovo, Vinica, Delchevo, Kochani, Radovish, Sveti Nikole, Strumica and Shtip;
- Male persons - primary, sentenced to 3 years in prison, that is, when the rest of

the sentence after the calculated detention is over 3 years, from the area of the basic courts: Berovo, Vinica, Delchevo, Kochani, Radovish, Sveti Nikole, Strumica and Shtip;

CPI Shtip officially has an accommodation capacity for 210 convicts, and during the visit to the Institution a total of 201 convicts were accommodated there.

This fact indicates that the accommodation capacities are almost full, and that the actual accommodation capacity is lower than the officially stated one, is indicated by the fact that some convicts said that after serving their disciplinary punishment of solitary confinement, most of them were reassigned to another room without their knowledge, since in the meantime, in the room where they were accommodated before being sent to solitary confinement, there are other (newly admitted) convicted persons. In addition to this, the fact that some of the premises originally intended for solitary confinement are converted into accommodation rooms also speaks for itself.

The current number of employees does not meet the needs for smooth and efficient performance of the function that should be performed by an institution of this type, and in this regard the director stressed that he has addressed the Directorate for Execution of Sanctions with a request for additional employment and promotions of officials.

3.1.2. Material conditions

During the visit, the NPM team inspected all units where the convicts are accommodated, as well as other premises/sections that are part of the Penitentiary. Thus, an inspection was performed in the: admission unit; semi-open unit; closed unit; isolation / solitary confinement rooms; kitchen, bakery and dining room; bathroom, boiler room and laundry; examination room - clinic; a food storage warehouse and a warehouse for tools and materials; children's corner; canteen, as well as in the gym and workshops.

In the rooms where the convicts are accommodated, there is a bed for each person, but the convicts themselves pointed out that after serving the disciplinary punishment, most of them are reassigned to another room without their knowledge, because in the meantime in the room where they were placed before going to solitary confinement another (usually newly admitted) convicted person is accommodated.

When accommodating the convicted persons in the premises, the provisions of the Law on Execution of Sanctions are not fully respected, where it is provided that for each convicted person at least 9 m³/4 m² of space should be provided, so in the closed unit in rooms of 10m² as many as 4 convicts are accommodated¹.

Depending on the wing in which the rooms are located, they are differently

¹ Чл.157 ст.1 од Законот за извршување на санкциите (Закон за извршување на санкциите („Службен весник на Република Северна Македонија“ бр. 99/2019 и 220/2019)

equipped, which indicates the conclusion emphasized by the convicts themselves for unequal treatment and division of privileged and discriminated.

Namely, some of the convicted persons with whom the conversations were conducted pointed out that most often during the treatment by the officials and the accommodation in the premises there is an influence based on the nationality, that is, ethnicity of the convicted person, as well as on the social/property status. **Thus, the second wing was pointed out as an example, where more than 90% of Roma convicts were housed and where the inventory consists of old tables, chairs and beds, broken windows and only one old exercise device.**

The temperature and humidity in the rooms are generally within acceptable limits. Convicted persons take care of the hygiene in the premises, due to which the level of hygiene is different in each of the premises.

Some of the toilets for the convicts had low levels of hygiene, damaged toilets, dysfunctional showers, and broken mirrors that could be used as items for injury/self-harm.

There are 3 walking areas for the convicts, which the convicts themselves arrange and improve. **In the walking area intended for convicts in the admission unit and for those who are serving a disciplinary punishment - solitary confinement, there are no leisure facilities (benches, etc.), nor is there a covered part that would enable uninterrupted walks of the people in the open, regardless of the weather conditions.**

The dining room has a number of tables and chairs that are attached to the floor, and in addition to dining, this room is also used for visiting convicts who are accommodated in the closed unit.

Within the Institution there is a specially equipped gym intended for the convicts. Convicts who intend to exercise in the gym, report to one of the convicts who registers them and prepares a special exercise schedule. The penitentiary also has a room equipped with tools and means for wood processing, sewing and hair-cutting by convicts, and there is a separate room with computers where the convicts are taught to work with computers.

The Children's Corner, which is a novelty in the Prison, is also a positive example that other penitentiary institutions should follow. This room is used for visits to convicts by their minor children every Friday, with prior notice. The room is well equipped as a children's playroom, and there is a projector used for various trainings.

The medical office in the penitentiary consists of an examination room, a therapy room, a pharmacy and two hospital rooms. From the inspection in the office it was evident that the equipment is at a satisfactory level, that is, the medical office has a stethoscope, pressure apparatus, otoscope, thermometer, etc. **There is a defibrillator, but it cannot be used because the medical staff does not have any education for this type of equipment. The office lacks an ECG portable, an oxygen mask, and so on. The facility also has a well-equipped dental office that has the basic equipment, but the office is not used because there is no dentist.**

3.1.3. Healthcare

The healthcare of the convicts in the Penitentiary in Shtip is provided by a general practitioner, a medical technician and a dental technician, all employees in the Health Centre Shtip.

The convicted persons report to the shift commander or to any of the representatives from the Security Department for the need for a medical examination and most often the examination is performed the next day. If there is a need for additional specialist examinations that are performed in the hospital in Shtip, the convicted persons are transferred to the hospital by an official vehicle and are accompanied by a person from the Security Department. **In this regard, information was received that due to the lack of official transport vehicles, as well as insufficient number of people in the Security Department, the institution often faces problems in escorting convicts to specialist examinations.**

Regarding the manner of distribution of therapies, it was concluded that during the working days, in the morning, the tablet therapy is distributed, individually to each convicted person, regardless of whether it is an acute or chronic disease. The therapy is given by the medical technician, and it is previously prescribed by the doctor. During the weekends and holidays, the therapy is prepared and distributed to the convicts on the last working day. Methadone therapy for convicts is kept in a specially closed cupboard, accessible only to the doctor and medical technician. This therapy is taken once a week from the Methadone Centre in Shtip and it is distributed to the people every day, in the presence of the medical technician. Insulin therapy is taken once a month and stored according to the prescribed standards.

Convicted persons who have a psychiatric diagnosis, or who are being treated for addiction (drugs, alcohol, etc.), despite the necessity, do not have the opportunity to contact a professional, because a psychiatrist does not come to the institution.

During the visit, the convicts received information about the superficiality of the examination and the impossibility to send them to additional specialist examinations to control their chronic diseases.

3.1.4. Use of coercive means

In the circle of the institution, when they are among the convicts, the officials do not walk with personal weapons, but only with radio connections. Officials said they had been trained in the use of coercive means, as well as undergoing "shooting" or firing training.

From the inspection of the documentation that is conducted for the used means of coercion, it was concluded that during 2019 only tying means - handcuffs were used, in 6 cases. In all cases, tying means were used to prevent the self-harm of convicts. For all registered cases of used means of coercion in 2019 reports have been prepared which

have been forwarded to the immediate superior and the director, and on their part the use of coercive means has been assessed as justified. Also, in cases when means of coercion are used, the Penitentiary-Correctional Institution submits a notification to the Directorate for Execution of Sanctions.

Officials said the binding did not apply to sick, elderly, frail, disabled or pregnant women.

During the escorts, it was concluded that the tying of persons is almost always done “by default”, as a security measure which is stated in the order for official escort and security, due to which it is recommended not to use tying means during the escorts routinely in all cases, but such means to be used exclusively on the basis of a previously performed individual risk assessment and the need to use tying means - handcuffs.

During 2018, coercive means were also used in 6 cases, of which in 4 cases convicts were separated, while in 2 cases tying means - handcuffs were used. From the inspection of the records for the used means of coercion, it was concluded that in only one of the cases the means of using coercion was assessed as unjustified. It is about the use of tying means - handcuffs on one of the convicts serving a prison sentence in the Institution. From the conversations with the officials from the Institution, the NPM team was informed that in order to reduce the risk of possible pressure against the person against whom the means of coercion were used, during the distribution of work tasks to the members of the Prison Police, care should be taken that the contacts between the official and the specific convicted person should be kept to a minimum, and also the NPM team was informed that regarding the specific occurrence, inspectors from the Ministry of Interior, after examining the case, initiated an appropriate court procedure.

3.1.5. Complaints system

During the visit, it was concluded that the Institution has special forms for submitting requests for exercising the right, legal interest or filing a complaint, as well as for filing an appeal to the notification upon the submitted request for exercising the right, legal interest or filed complaint. The forms themselves explain the procedure for filing a complaint and deciding thereupon. Such forms were placed on the bulletin boards in each of the special units within the Prison.

However, from the conversation with the convicts it was concluded that they were placed shortly before the visit by the NPM team, and some of the convicts were not even familiar with their content.

For those who are illiterate, the officials pointed out that there is a lawyer in the Institution who helps them if they want to submit this type or any other type of a request for exercising their right, legal interest or to file a complaint. From the conversation with the officials, it was also concluded that they are really newly developed forms and that special records are kept for such requests, that is complaints, but that so far no request has been submitted in such a form.

In this regard, it was stated that convicted persons are constantly entitled to submit various types of requests, which are registered in a separate book and depending on the request are then forwarded to the appropriate official who should respond or meet with the convicted person who submitted the request. During the inspection and in this record, it was concluded that the complainant is registered in it, to whom it was addressed and when it was received by the person to whom it was addressed. In addition, officials noted that the director of the Prison regularly makes contact with convicts (usually every Thursday is the director's reception day for conversations with convicts), and that he performs regular visits and the convicts have the opportunity to address or complain to him immediately about the exercising or (non)compliance with a certain right or legal interest.

The very fact that until the day of the visit by the NPM team there was no official record of any submitted request or complaint based on the official forms, indicates that the convicts are not sufficiently familiar with their right and the opportunity to submit a request for exercising some of their rights, legal interest or to file a complaint. This was confirmed by the conversations with the convicts who at the same time stated that they are not sufficiently familiar with their other rights while serving their prison sentences, and that they are not sufficiently familiar with the qualification of disciplinary offenses (what is considered to be a milder and what is a more severe disciplinary injury).

In this regard, the NPM team recommends that convicts become aware of their rights and obligations while serving their prison sentences as convicts, at the moment of their admission to the Institution, in a manner adequately understandable for each convicted person separately, and the NPM team also highlighted the need for officials to undertake action to further acquaint convicts with the possibility to apply for the realisation of a right, legal interest or complaint (to hand over copies of the forms for submitting a request, that is a complaint, to each convicted person, and to explain to those who are illiterate in a way that is easily understood by them, as well as to indicate the possibility that they can consult an official who will help them to compile the request, that is, the complaint).

In the circle of the institution there are boxes of the Ombudsman for submitting complaints by the convicted persons. Only authorized persons from the Ombudsman's Office have access to these boxes.

3.1.6. Procedure for determining disciplinary liability and imposing a disciplinary sanction

Regarding the conduct of the procedure for disciplinary responsibility, from the conversations with the convicts, as well as from the inspection of the material documentation, it was concluded that the persons against whom the disciplinary procedure was conducted in CPI Shtip were informed about the reasons for initiating the procedure, they were questioned and gave their statement regarding the particular occurrence for which the procedure is being conducted (in the individual cases there are written statements, and the minutes also contains the statement of the convicted person during the hearing regarding the subject event), they were allowed to propose their evidence, as well as to examine the evidence against them, and they are also given a copy of the disciplinary sanction decision with the instruction that the person has the right to appeal to the director of the Directorate for Execution of Sanctions. The NPM team stated that only one person had filed a complaint against the decision on disciplinary action to the Directorate for Execution of Sanctions, but no decision thereon had been received until the day of the visit.

3.1.7. Resocialization

The expert team in the Department for Resocialization consists of a total of 4 people, all of whom have completed higher education, including 1 head of department, 2 psychologists and 1 social worker.

In the treatment activities, the convicts are divided into groups and each educator is responsible for 80 convicts. An additional problem in the work of educators is the limited physical space where they perform their work activities. There are two educators in a small office, so the limited spatial conditions also influence the provision of services and interventions by the professional team - educators. Namely, some of the professional team members have attended specialized training to work with certain categories of people, but due to the existing organizational set-up of the institution, the limited human and spatial conditions are a problem for these to be practically implemented in the professional work of the experts. The cooperation with the centres for social work, UNDP, the civil and cultural associations in the City of Shtip was pointed out by the employees in the Department for Resocialization.

The educators make the contact with the convicts individually, most often at their request or at the request of the convicts by submitting a request that they submit to the admission office in the institution.

During the talks conducted by the NPM team, none of the convicts complained about the right to visit or contact their family, but it was also stated that **there is no special room for exercising the right to visit the convicts, due to which the visits of the convicted persons accommodated in a semi-open unit are realized in the open space, in summer time, and in winter in the dining room. Visits to convicts from the closed unit are also made in the dining room.**

3.1.8. Overview of submitted recommendations

Prior to the preparation of this Annual Report, no responses were received from CPI Shtip and the Directorate for Execution of Sanctions, due to which the following represents only an overview of the recommendations given:

Review no.27

Overview of recommendations given to CPI Shtip

When accommodating the convicts in rooms with several beds, the minimum standard of 4m² must be observed for each convicted person;

Replacing worn-out mattresses with new ones and providing clean bedding for each convicted person. The convicted persons should be provided with the necessary means for hygiene and cleaning and an effort should be made to maintain the level of hygiene in the bathroom and toilets in a decent condition (recommendation addressed to DES);

Remove all items from the toilets that could be used as items for injury / self-harm, especially damaged mirrors that need to be replaced with mirrors made of non-breakable material;

When placing and treating convicted persons, the prohibition of discrimination on all grounds provided for in Article 4 of the Law on Execution of Sanctions should be strictly complied with;

In all walking areas it is necessary to place rest amenities (benches and tables) and a covered part that would allow uninterrupted walking of the convicts in the open air also in case of bad weather (recommendation addressed to DES);

Convicts accommodated in the admission unit must be allowed to spend at least two hours a day outdoors;

The convicted persons during their admission to the Institution are to be acquainted with their rights and obligations as convicted persons, while serving their prison sentence, in a manner understandable and appropriate for each convicted person separately, the House Rules for convicted persons, as well as segments of the Law on Execution of Sanctions should be visibly displayed in all units, especially in a visible and easily accessible place for all convicts (the bulletin board can be taken into consideration), and officials should take action to further acquaint convicts with their right to submit a request for exercising a certain right, legal interest or filing a complaint (to hand over to each convicted person copies of the forms for submitting a request, that is, complaint, and to explain to those who are illiterate in a way easily understood by them, as well as to indicate to them the possibility that they can consult an official who will help them compile the request, that is, the complaint);

**Overview
of recommendations given to CPI Shtip**

The use of tying means during the escorts should not be used routinely in all cases, but should be used exclusively on the basis of a previously performed individual risk assessment and the need to use tying means;

To prepare a list of specific diets for people with chronic diseases that require a special diet, which will be prepared in direct consultation with the doctor, responsible for the health of convicts in the institution and to make efforts to respect HALAL standards when preparing a diet for convicts;

Chronically ill convicts to be referred to specialist examinations more often, primarily convicts suffering from addictions, diabetes and heart disease;

The management of CPI Shtip to address the public healthcare institution that performs primary healthcare in the network of healthcare institutions in the area of which the headquarters of the Penitentiary is located, in order to emphasize the need for engagement of a dentist, as well as a specialist psychiatrist who would visit the prison at least once a week for examinations of convicts who need this type of treatment;

In communication with the Ministry of Health and the Directorate for Execution of Sanctions to undertake measures for the purpose of procurement of additional medical devices for performing a general examination of the convicted persons;

To harmonize the provisions of the House Rules with the provisions of the Law on Execution of Sanctions in the segment of qualification of behaviours considered as major, that is, minor disciplinary offenses;

In case of possible employment, it is necessary to take special care of the prison staff to be professional and skilled, familiar with the procedures and standards in the segment of dealing with persons deprived of liberty and their rights, and any takeover of staff from other institutions must follow upon undergoing of training and acquiring skills for work in places where persons are deprived of their freedom;

To undertake activities for improvement of the spatial and technical conditions of the professionals - educators in the performance of their everyday professional activities.

Overview of recommendations given to the Directorate for Execution of Sanctions

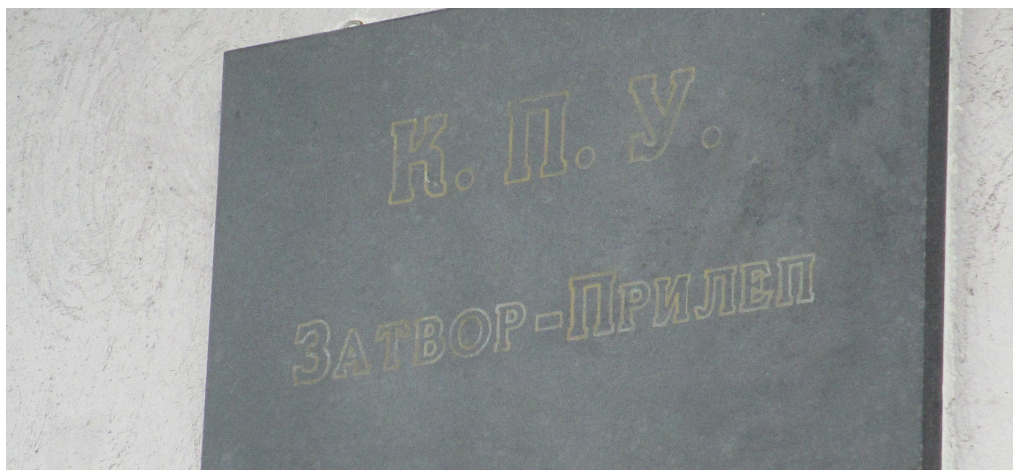
The Directorate for Execution of Sanctions should seriously take into account the submitted requests of the Penitentiary-Correctional Institution for the needs to provide the necessary means for work and take urgent measures for their procurement;

To provide funds for the replacement of worn-out mattresses with new ones and to provide clean bedding for each convicted person. The convicts should be provided with the necessary means for hygiene and cleaning and an effort should be made to maintain the level of hygiene in the bathrooms and toilets in a decent condition (Recommendation addressed to the management of the Penitentiary);

In all walking areas it is necessary to place rest amenities (benches and tables) and a covered part that would allow uninterrupted walking of the convicts in the open also in bad weather (recommendation addressed to the management of the Penitentiary);

To accommodate a separate room where the convicted persons can in a safe and dignified manner make contact with the persons who visit them (recommendation addressed to the management of the Penitentiary);

The Directorate for Execution of Sanctions needs to take into account the submitted requests and plans for employment and promotion of officials in preparing the unified report submitted to the Ministry of Information Society and Administration and the Secretariat for Implementation of the Framework Agreement of the Government of the Republic of North Macedonia, in accordance with the Law on Public Employees and to emphasize the need for additional employment of staff in CPI Shtip. Special care should be taken to ensure that prison staff are professional and skilled, familiar with the procedures and standards for dealing with persons deprived of their freedom and their rights, and that any takeover of staff from other institutions must be performed upon previous training and acquired skills to work in places where persons are deprived of their freedom.



3.2

PRILEP PRISON

The visit to the Prilep Prison was conducted on December 18 and 19, 2019, in cooperation with external associates: a psychiatrist from the Psychiatric Association of the Republic of Macedonia, a social worker from the Association of Social Workers of the City of Skopje, as well as representatives of the Association for Criminal Law and Criminology and the Association of Young Lawyers.

3.2.1. General data

According to the level of security, the degree of restriction of freedom and the types of treatment applied to convicts Prilep Prison is a correctional-penitentiary institution of semi-open type, in which the primary security is the physical security exercised by members of the Security Department. However, by the new Law on Execution of Sanctions, published in the Official Gazette on 21.05.2019, it is envisaged that the CPI Prilep Prison will be transferred to Prilep Correctional - Penitentiary Institution within one year from the day this Law enters into force, due to which also during the visit construction activities were in progress and the detention unit of the Prison did not function.

According to the "Decision on the distribution of convicts and the juveniles in the penitentiary-correctional and educational-correctional institutions and the detainees in the detention units of the penitentiary-correctional institutions" in the CPI Prilep the following categories of persons are accommodated:

- Male persons - primary perpetrators, sentenced by a final sentence of imprisonment of up to 3 years, that is, when the rest of the sentence after the calculated detention is up to 3 years, from the area of the basic courts of Krushevo and Prilep;
- Male persons - repeat offenders, sentenced by a final sentence of imprisonment of more than 6 months, that is, when the rest of the sentence after the calculated detention is over 6 months, from the area of the basic courts of Krushevo and Prilep.

In Prilep Prison, in addition to the categories of convicts listed above, due to the renovation of Bitola Prison, there are also convicts from Bitola, Kichevo, Resen and other cities. During the visit to the Prison, there were a total of 89 convicts, and the director pointed out that the capacity of the Institution is for 103 people.

Regarding the personnel capacities, it was mentioned that some of the officials are employed by taking over from the Army, but that they have not previously undergone any special training, and the familiarization with the work tasks for the specific job positions takes place through mentoring from the institution's employees.

In this regard, the NPM team emphasized the importance of training, emphasizing that prison staff must be professional and skilled, familiar with the procedures and standards in terms of dealing with persons deprived of liberty and their rights, and any takeover of staff by other institutions must follow upon previous training and acquired skills to work in places where persons are deprived of their freedom. At the same time, the prison authorities and the Directorate for the Execution of Sanctions were instructed to take into account the Council of Europe's Guidelines on Recruitment, Selection, Education, Training and Professional Development of Prison and Probation Officers.

3.2.2. Material conditions

During the visit, the NPM team inspected all units where the convicts are accommodated, as well as other rooms/parts that are part of the Prison. Thus, an inspection was performed in: the admission unit; open and semi-open unit; closed unit; the isolation/solitary confinement rooms and the detention unit (which is in the process of renovation, and they are being prepared to be converted as closed type rooms for high-risk convicts), and other rooms were inspected, that is, the kitchen and the dining room; laundry; the examination and visit room (improvised room); the warehouse; the gym; the clinic and the pharmacy, as well as the farm located within the facility.

In the rooms where the convicts are accommodated, there is a bed for each person and they are equipped with clean bedding, usually brought by the convicts themselves.

When accommodating the convicted persons in the premises, the general provisions of the Law on Execution of Sanctions are generally taken into account, which stipulates that for each convicted person an average of at least 9 m³/4 m² of space should be provided.

The temperature and humidity are within acceptable limits, and the hygiene in the rooms is taken care of by the convicts themselves and it is generally at a satisfactory level. All rooms have large windows through which sufficient flow of daylight penetrates.

The premises of the convicts are equipped with a TV set, radiators - heaters, coffee table and chairs, but some of the rooms lacked cupboards, due to which the convicts are forced to keep their personal belongings under their beds.

There is no call/alert system installed in the premises, due to which the convicts are forced to contact the officials by shouting or knocking on the doors even in cases of emergency.

The shared toilets were found in poor condition, without doors, high humidity, dysfunctional toilets and poor hygiene. In one of the toilets, the pipeline was damaged, causing water to leak to the ceiling of the lower toilet. Broken mirrors could also be seen, which could possibly be used as items for injury/self-harm.

On the ground floor there is a gym equipped with a minimum number of devices and exercise equipment. The convicts organize the exercise schedule themselves and take care of maintaining the hygiene.

The detention unit from June 2019 is not in operation and it is being renovated, that is, it is being adjusted as a special unit of closed treatment, and in front of this part there are 4 rooms, which are also being renovated and will be used as solitary confinement rooms. **From the inspection, in the rooms that are planned to be used as solitary confinement rooms, it was concluded that all rooms have internal toilets and an area of 4.5 m², contrary to the recommendations of the European Committee against Torture which "emphasizes that all cells that are smaller than 6 m² should not be used to house prisoners."**

The walking area for convicts is spacious, clean and tidy, with set benches and small tables. The convicts themselves take care of the maintenance of the walking area, and within this space there are two sports fields, one for football and one for basketball. Immediately next to the part where the rooms of the closed unit are located, there is a walking area intended for the persons accommodated in these rooms. This walking area is not equipped with additional leisure equipment, such as benches and chairs, nor does it have a covered area that would be used in case of bad weather, which makes it practically impossible for people to properly use the right for outdoor walks.

Within the Prilep Penitentiary, outside the fenced area, at a distance of about 100 meters, there is also the Economy Department, where there is a farm and agricultural arable land under foils for the needs of which 4 convicts are hired.

The clinic consists of a room where the medicines (pharmacy), the health cards of the convicts and the books for keeping health records are kept, and it is also used for examinations of the convicts. The medicines are kept in a special cupboard, and the nurses and the deputy commander have access to them. On the day of the visit there was "analgin", "ventor", "ketonal", "diazepam", "ibuprofen", "lexilium", "diclofenac", "ketoprofen", "ranitidine" in this cupboard, but medicines with expired term of use were found and the medical staff were instructed immediately about it, and it was pointed out that the expired

medicines were not used, they were withdrawn and they were waiting for directions from the health centre for further action. **Of the basic medical devices, the clinic has a blood pressure apparatus, a blood sugar meter, but the tapes are expired, and a thermometer that is not functional.**

3.2.3. Healthcare

The healthcare in the Prilep Penitentiary is provided by a single doctor- psychiatrist, with whom the institution has concluded a contract for performing services and two nurses, who are employed with a contract for a period of 6 months (through a project and have no information about what will happen next with their employment), although according to the Law, the health sector is under the competence of the Ministry of Health.

The doctor - psychiatrist comes to the prison once a week, but more often if necessary, and the nurses are present in the prison clinic every day from 8:30 to 12:30 (their engagement contract was concluded one month before the visit to the institution).

The convicted persons are registered for medical examination with an oral request through the officials from the Prison Police, and having in mind that most of the medical examinations in the Prilep Penitentiary are conducted by the hired psychiatrist, there were cases when the convicts waited for a medical examination for 3-4 days. Emergency medical services are also used quite often, and from there doctors refer convicts to a specialist if necessary.

Due to the irregular presence of a doctor in the Institution the measure solitary confinement is not applied at all. Namely, the psychiatrist does not issue medical certificates for the convicts, which would confirm that they are in good health so that they can endure a measure of solitary confinement.

As for the addictions of convicts who are being treated for opiate addiction, diazepam and trodon have been prescribed for years, although these medicines are not for treatment for opiate addiction according to evidence-based medicine, but evidence-based therapy for the treatment of opiate addiction is unavailable in the Health Centre, nor is it available in the General Hospital in Prilep. It is available exclusively in the Regional Centre for prevention and treatment of persons who use or are addicted to drugs in the Clinical Hospital Bitola.

During the conversations with the officials, the NPM team was informed that, in the Institution, there were cases of loss of consciousness caused by these medicines, during which they pulled the unconscious person's tongue (this is not a procedure that should be done in such cases, which suggests that training is lacking). Such states of loss of consciousness and cramps are possible in the case of intoxication with "trodon" (when there is too much) or in the case of abrupt cessation or abrupt reduction of "diazepam" and "trodon". Long-term use of these medicines makes them insufficient after a certain period of time and to achieve the same effect it is necessary to increase the dose, so it is not recommended long-term treatment of opiate addiction with "trodon" but with "methadone" or "buprenorphine".

Furthermore, given that both evidence-based medicines (methadone and buprenorphine) are unavailable, neither in the prison health clinic nor in the Prilep General Hospital, psychiatrists are forced to prescribe medicines that are not the most adequate choice for the treatment of opiate addiction. On the other hand, the unavailability of buprenorphine contributes to the formation of a "black market" in the prison. Namely, the NPM team was informed that some convicts insist on receiving a recommendation from the psychiatrist for treatment with "buprenorphine" in order to get the opportunity to purchase it independently from the pharmacy through their families, so as to resell it later in prison. The NPM team received information that the "buprenorphine" tablets can be purchased illegally in prison and a 2 mg tablet costs 200.00 denars.

From the conversations with the officials, as well as with the convicts, the NPM team was informed that in the institution it happened that convicts inject drugs/psychoactive substance if they find a needle, and often instead of using condoms they improvise protection with plastic bags. The fact that there is no female employee in the Security Department, so it is not possible to conduct searches of women who come to visits to the prison, allows the entering of psychoactive substances and/or drugs.

3.2.4. Use of coercive means

Prison police officers have been trained in the use of coercive means, and twice a year they attend a shouting training with guns and automatic rifles. In the circle of the institution, when they are among the convicts, the officials do not walk with personal weapons, but only use radio connections.

In the records kept for the used means of coercion, in 2018 and 2019 (until the day of the visit), two cases of use of coercive means were registered.

Regarding the used means of coercion, in accordance with the "Standard Operating Procedures", a "Report on the use of coercive means" is prepared, which states by whom and to which person coercive means were used, at what time they were used and the reasons for their use, what type of coercive means were used, data from the medical examination, data on other employees who were present during the event, medical finding, as well as an opinion by the prison police chief and the director of the institution for the justification of the use of means of coercion. In addition to the case, there are statements from the participants and witnesses to the event. Both cases of the use of coercive means in 2019 are assessed as justified. For each use of means of coercion, the director of the institution with special notification, in addition to the entire documentation, notifies the Directorate for Execution of Sanctions.

Regarding the use of means of coercion, that is, means of tying during the escorts, it was emphasized that an individual assessment is made in each particular case.

However, in addition to the officially registered cases of use of coercive means, allegations were made of the use of force, that is, physical harassment

by an official of the Prison Police against a convicted person. Such an event was described by several convicts, and in order to check the information regarding the received injuries, the NPM team inspected the medical record of the convicted person where the injuries were indeed noted. Another reason for the injuries was stated in the medical documentation. However, the NPM team also received information that convicts are often not allowed to have discretion in the contact with the doctor-psychiatrist, because the medical examination is attended by an official from the Security Department.

In this respect, the NPM team strongly condemns the physical violence against convicts and especially stressed the need for medical examinations of convicts to be carried out without the presence of officials from the Prison Police, except in exceptional situations when it is explicitly required by the doctor or in conditions of high security risk.

3.2.5. Complaints system

There are special forms in the Prison for submitting requests for exercising the right, legal interest or filing a complaint, as well as for submitting an appeal to the notification upon the submitted request for exercising the right, legal interest or filed complaint. The forms themselves explain the procedure for filing and deciding.

The general conclusion is that the convicted persons are familiar with their rights and complaints, that is the appeals usually refer to the "alleged" non-compliance with their rights to use the benefits.

There is no lawyer in the Prison, but the head of the Department of Socialization pointed out that at any time he provides information and legal assistance to convicts regarding the use of legal remedies and taking action to protect their rights. The illiterate convicts are allowed to give the legal remedy or other submission for the institution's minutes. This category of prisoners is assisted by educators or other convicts in compiling the written submission. However, the NPM team noted that the long experience of some of the employees and their consent (at any time) to help convicts in compiling appropriate legal acts is by no means a systemic solution.

Convicts often exercise the right to an oral complaint to the director of the institution or to a person authorized by him for a violated right. Oral complaints in most cases relate to the provision of benefits, the use of free days and free visits, as well as the need for healthcare (general and dental). The institution keeps records of all questions that are written manually, on non-standardized forms, in ordinary notebooks. With the introduction of electronic records in the day-to-day operation of the Institution, some of the shortcomings noted during the visit will be overcome.

In this respect, the need for more frequent use of special forms for submitting requests for exercising the right, legal interest or filing a complaint or for filing an appeal to the notification upon the submitted request for exercising the right, legal interest or filed complaint for greater formality was pointed out and also the possibility of following the procedure was emphasized.

Positive practice in the Prison is the frequent direct conversations of the Director with the convicted persons and his established regular practice to have a special day (Wednesday) as a reception day for conversation with convicted persons. In addition to frequent conversations with the director, the institution employs two psychologists and a pedagogue who practice the same dynamics of conversations with convicts.

The institution also has a complaint box set up by the Ombudsman, accessed only by authorized persons from the Ombudsman's Office.

3.2.6. Procedure for determining disciplinary liability and imposing a disciplinary sanction

The head of the disciplinary commission is in charge of the procedure for disciplinary responsibility. The special records for disciplinary penalties are also kept with her.

The disciplinary procedures start with the submission of a request for initiating a disciplinary procedure to the Director of the Penitentiary in Prilep. The request first states the personal data of the convicted person, a number in the personal records, a crime committed for which the respective person is serving a sentence and the beginning and end of the sentence. It is then stated whether the person was previously sentenced, when, for what and what punishment was imposed on him/her. The submitting party describes the violation in detail and signs the request. Furthermore, it is stated whether and what items were confiscated in connection with the violation, an opinion is given by the Department of Resocialization, the date of the given opinion is stated and the party giving the opinion signs the request, and if necessary an opinion by a doctor is provided. At the end of the request, the proposal for imposing a disciplinary sanction is specified and the president of the disciplinary commission signs.

Before requesting a statement relating to the disciplinary offense by the convicted person, the members of the commission read aloud what the convicted person is accused of and are convinced that the convicted person understands the accusation of the committed disciplinary offense. If they feel the need to make sure that the convicted person fully understands the charge, the competent members read it several times.

If the convicted person agrees to complete and sign the statement, it shall be attached along with the request for initiating disciplinary proceedings. If it is an illiterate person, he signs the statement by putting his fingerprint. The practice of teaching the letters of the alphabet to illiterate convicts (usually of Roma nationality) was emphasized, so that they could sign documents on their own. If the person does not agree to give and sign a statement voluntarily, this is stated in the request.

The procedure continues with compiling minutes, stating the day and room of the committed disciplinary violation, description of the report on the committed offense, signature of the members of the commission and stating the voluntarily given oral statement of the convicted person (if any) after which the convicted person signs.

After receiving the request and the minutes, the Director of the Penitentiary in Prilep

makes a decision to impose a disciplinary sanction. In the decision, the director imposes the disciplinary sanction and gives an explanation for the adopted decision. The legal lesson on the possibility to submit an appeal to the decision of the director to the Director of the Directorate for Execution of Sanctions at the Ministry of Justice within three days, is an integral part of the decision. The convicted person signs the decision proving that he received it. In case of refusal to sign, it shall be stated in writing in the decision and the person who was rejected when handing over the decision shall sign. Refusal to accept the decision does not delay the implementation of the decision. The data on the initiated procedures and imposed disciplinary sanctions are an integral part of the file of the convicted persons.

The established practice of conducting proceedings and imposing disciplinary penalties is in accordance with Directive No. 55 of the Second General Report of the CPT, as well as the above-mentioned standards related to conducting the procedure for establishing disciplinary liability emphasized by the UN Committee against Torture.

There are no conditions for serving a solitary confinement in the Prilep Prison Penitentiary, so in case of a serious disciplinary offense, the Commission imposes solitary confinement, without the right to work, conditioned for two or three months (maximum duration of the sentence). During the mentioned months, the convicted person has a ban on benefits.

3.2.7. Resocialization

The expert team in the Department of Resocialization consists of 2 psychologists, one sociologist (head of department) and two instructors. Due to the lack of employees, all activities from the reception of the convicted person to the realization of the measure and the overall treatment are organized by the employees in this Department.

In the treatment activities, the convicts are divided into three groups and each educator is responsible for about 30 convicts. The Head of the Department pointed out that individual work with convicts is the most common, most often at their request. Group work is represented every two months with educational topics, because they do not have enough time to organize group work once a week.

Most often, conversations with convicts are about their personal problems, the realization of their rights, as well as changes in their mental state. The talks are of informative-educational nature. They work with their families and help them overcome family problems. In terms of opportunities for reintegration and resocialization, after being released from prison, they are referred to the Centre for Social Work, but the employees of this Department do not have information about occurrences happening after serving the sentence.

Regarding the relations between the Department of Resocialization and the convicted persons, it was concluded that they are at a satisfactory level, based on mutual respect and cooperation.

3.2.8. Overview of given recommendations

Until the preparation of this Annual Report, no responses were received from the Prilep Penitentiary and the Directorate for Execution of Sanctions, due to which the following recommendations were reviewed:

Review no.29

**Overview
of recommendations given to the Prilep Prison Penitentiary**

Physical violence in penitentiaries is impermissible, which is why the responsible persons in the prison service and the Directorate for Execution of Sanctions need to undertake continuous measures to check and control the attitude and actions of the representatives of the Security Department towards convicts;

Ensuring the constant presence of appropriate medical staff from among the healthcare workers who perform primary healthcare in the network at the primary level for healthcare in the area where the headquarters of the institution is located;

To provide medical devices (thermometer, blood sugar measuring tapes, “Ambu Silicone Face Masks”, “Air Way”, ECG, etc.), for the purpose of smooth execution of a general examination of convicts;

Regular removal of expired medicines and their replacement with medicines having regular period of use;

Training for prison staff, nurses, health home doctors, as well as psychiatrists from the general hospital on the following topics: addictions, overdose, overdose interventions, crisis situations and crisis interventions, abuse - physical, emotional and sexual, blood transferable diseases - voluntary and confidential testing and counselling, tuberculosis, human rights, etc.

Referral of persons with drug abuse disorders from the prison to the Clinical Hospital-Bitola where there is a regional centre and medicines for this type of disorder;

The medical examinations of the convicted persons should be performed without the presence of officials from the Prison Police, except in exceptional situations when it is explicitly requested by the doctor or in conditions of high security risk;

Undertaking measures to increase the number of prison staff (in the prison police and the security department) and taking steps to ensure that at least one female employee is on duty at any time in the Prison. Any transferring of staff from other institutions must be followed by previous training and acquired skills to work in places where people are deprived of their freedom;

Undertaking urgent measures to improve and maintain hygiene, as well as replace or repair non-functional sanitary units in toilets intended for convicts;

**Overview
of recommendations given to the Prilep Prison Penitentiary**

Install call /alert systems in cases of emergency in the rooms where convicts are accommodated;

When renovating and adapting the premises that are planned to be used for the execution of the disciplinary sanction - solitary confinement, to take into account the observance of the international standards regarding the size and the conditions that these premises should meet;

In order to reduce safety risks, tables and chairs in the dining room should be attached to the floor.

Review no.30

**Overview
of the recommendations given to the Directorate for Execution of Sanctions**

Physical violence in penitentiaries is impermissible, which is why the responsible persons in the prison service and the Directorate for Execution of Sanctions need to take continuous measures to check and control the attitude and actions of the representatives of the Security Department towards convicts;

Efforts should be made to increase the number of prison staff (in the prison police and the security department) and to take steps to ensure that at least one female employee is on duty at any time in the Prison. Any transferring of staff from another institutions must be followed by previous training and acquired skills to work in places where persons are deprived of their freedom;

In coordination with the health authorities to undertake urgent measures to ensure the constant presence of appropriate medical staff in penitentiary institutions, which enabled the requests for medical consultation of convicts/detainees to be answered without unnecessary delay;

To provide means, medical clinics in penitentiary institutions should be equipped with the necessary medical devices (thermometer, blood sugar measuring tapes, “Ambu Silicone Face Masks”, “Air Way”, ECG, etc.), for the purpose of smooth performance of a general examination of convicts.



3.3

OPEN UNIT OF THE KUMANOVO PRISON IN KRIVA PALANKA

The visit of the Open Unit of the Kumanovo Prison in Kriva Palanka was conducted on 13.12.2019, by the team of the National Preventive Mechanism.

3.3.1. General data

The open unit of the Kumanovo Prison in Kriva Palanka officially has an accommodation capacity for 23 convicts, and during the visit to the unit a total of 11 convicts were accommodated, 3 of whom were performing tasks outside the unit building.

The current number of employees is not enough for the smooth and efficient performance of the function that the unit of this type should perform, due to which it was concluded that it is necessary to hire additional staff.

3.3.2. Material conditions

The open unit of the Kumanovo Prison in Kriva Palanka is located in an older building on two floors, which can be reached through a small and unsafe bridge of old wooden boards that makes access unsafe and is a serious problem in conditions when urgent intervention is needed, and access with vehicle is limited.

The convicts are deployed in 4 rooms, and during the survey of the premises it was concluded that the square footage and the number of convicts accommodated in one room is within the minimum international standards for accommodation of convicts.

The room temperature during the visit was 22°C, and their humidity was 40-45% R.H., which is within acceptable standards. There are no radiators in the facility, and wood stoves are used for heating.

The rooms also have large windows from which enough daylight enters, however there is no special ventilation system, and on the day of the visit some of the rooms were unventilated and suffocating.

The convicts themselves take care of the hygiene, and during the visit the premises were generally clean.

Each of the rooms is equipped with beds, small tables and chairs. Some of the beds were with old and dilapidated mattresses, dirty bedding and messy blankets.

There are two toilets for the convicts, one on the ground floor and the other on the first floor, which are in very poor condition. Namely, the toilet on the ground floor is without doors, non-functional sanitary units and with obviously low level of hygiene. Some toilets also have mirrors that are damaged at the ends and can be used as items for (self)injury, and overhanging electric cables from the boiler were also noticed.

During the visit, the premises that were previously used for the execution of the disciplinary punishment - solitary confinement were inspected, and for which the officials pointed out that they have not been used for a long time. During the inspection of these premises, it was concluded that they are in very bad material condition, but also that they have not been used for a long time. In this regard, the convicts also stated that they do not remember that anyone was accommodated, that is, referred to those premises.

The food for all convicts is prepared in the kitchen. Hygiene is at a satisfactory level, and it is taken care of by convicts who change according to a previously made schedule.

In general, the hygiene in the dining room is satisfactory. The inventory is outdated and the chairs are not fixed to the floor or table, which can pose a risk to the safety of convicts and staff.

The open unit of the Kumanovo Prison in Kriva Palanka does not have any functional vehicles, that is, there are some old vehicles and trucks that are already unusable and out of function, due to which for official needs the employees are forced to use their private vehicles.

3.3.3. Healthcare

There are no permanently engaged medical staff in the Open Unit of the Kumanovo Prison in Kriva Palanka, and the health services are provided in such a way that convicts in need are brought to the health centre in Kriva Palanka or emergency teams are called for emergency medical assistance. Having in mind that this is an open unit, when there are conditions for that, the convicts themselves go to the Health Centre.

Due to the fact that the Unit does not have appropriate official vehicles for transport, a major problem is the transfer of convicts to the Health Centre. Employees are forced to transport convicts in their private vehicles, knowingly taking risks, both in terms of health and safety. This is certainly a risk that the requests of the convicts for medical intervention will not be answered without unnecessary delay.

Regarding the treatment of convicts, it was pointed out that convicts are not discriminated against other patients, but that the quality of services in the Health Centre is generally low for both convicts and residents in that area, given the fact, as the head of the unit pointed out, that the Health Centre is also facing a shortage of health personnel.

The therapy for the convicts is procured by the Kumanovo Prison, and regarding the distribution of the pill therapy, the NPM team was first informed that the antidepressants and other therapy prescribed to the convicts by specialist doctors are distributed on a daily basis by employees. **However, from the inspection of the premises of the convicted persons, the NPM team found a larger amount of medicines (more than the required daily dose), especially antidepressants.** In this regard, the officials pointed out that in fact the practice of distributing daily therapy had been changed and the convicts were given therapy on a weekly basis. From the inspection of the distributed therapy records, the NPM team concluded that in the past, the convicts were really given the therapy on a daily basis, which is why they recommended that such a way of distributing the therapy be returned, especially for antidepressants and other therapy that could result in cases of overdose or self-harm.

3.3.4. Use of coercive means

In the circle of the institution, when among the convicts, the officials do not walk with the weapons and the means of coercion they are responsible for, emphasizing that until now there was no need to use them in the unit, and that minor incidents, most often verbal ones, were resolved through conversation and mediation.

In the records for the use of means of coercion in the last few years, not a single event has been registered, and in the direct conversations that took place, the convicts pointed out that no means of coercion have been used.

3.3.5. Complaints system

The Unit has not established an internal formal mechanism for submitting written complaints. In this regard, it was emphasized that the convicted persons are in direct contact with the head and other officials in the Department on a daily basis and can complain to them without hindrance and address them for any request.

However, the team of the National Preventive Mechanism recommended and stressed the need to establish a formal system, as provided in the Law on Execution of Sanctions, especially due to the fact that the director of the Kumanovo Prison very rarely visits this Unit.

3.3.6. Procedure for determining disciplinary liability and imposing a disciplinary sanction

The head of the Unit, as well as the other officials, pointed out that no disciplinary proceedings have been initiated for a long time, nor has any disciplinary sanction been imposed. This is confirmed by the records of initiated disciplinary proceedings and disciplinary sanctions, where not a single case was registered, as well as the statements of the convicts themselves who stated that no disciplinary proceedings are being conducted against any of them.

In this regard, the convicts, as well as the officials, pointed out that due to the open treatment they have, no one wants to risk taking actions contrary to those prescribed by the House Rules.

3.3.7. Resocialization

In the Open Unit of the Kumanovo Prison in Kriva Palanka there is one educator, who is also the head of the unit, as well as 2 instructors, one of whom is a cook. In this respect, the head of the Unit, that is, the educator pointed out that most often the treatment activities, given the small number of convicts, are carried out individually, and the intensity depends on the needs, which is why in cases when there is a need one convict has several meetings during the day.

3.3.8. Overview of given recommendations

Prior to the preparation of this Annual Report, no responses were received from the Kumanovo Prison and the Directorate for Execution of Sanctions, due to which the following is an overview of the recommendations given:

Review no.31

**Overview
of recommendations given to Kumanovo Prison**

Increasing the number of employees/staff hired in the Open Unit in Kriva Palanka, and in case of possible new employments it is necessary to take care that the prison staff is professional and trained, familiar with the procedures and standards in the part of dealing with persons deprived of liberty and their rights, whereby by each transferring of staff from other institutions there must be previous training and skills must be acquired for work in places where persons are deprived of their freedom;

In communication and coordination with the representatives of the local self-government, to take urgent measures to ensure proper and safe access to the building of the Open Unit;

Replacing worn-out mattresses with new ones and providing clean bedding and appropriate blankets for each convicted person;

Renovating the toilets in order to ensure the privacy of the convicted persons, functional sanitary units adapted for people with special needs, removing all items that could be used as items for injury/self-harm, especially damaged mirrors that need to be replaced with mirrors made of non-breakable material and repairing of the electrical installation in the toilets;

Premises previously used to carry out disciplinary measure - solitary confinement to be renovated and converted

To provide functional and properly equipped official vehicles for transport of convicts from the Open Unit;

The Management of the Prison to address the public health institution that performs primary healthcare in the network of health institutions in the area of the headquarters of the Open Unit of the Kumanovo Prison in order to emphasize the need to hire health personnel who will perform regular checks of the health and needs of convicts;

Establishment of a formal system of complaints, and officials to undertake action to familiarize convicts with their right to submit a request for realization of a right, legal interest or complaint (to ensure that each convict is given copies of forms for submitting a request that is a complaint, and to explain to those who are illiterate in a way that is easily understood by them indicating the possibility that they can consult an official who will help them to compile the request, that is, the complaint.);

Overview of recommendations given to Kumanovo Prison

The therapy of convicts should be distributed on a daily basis, especially antidepressants and other therapy that could result in cases of overdose or self-harm, as the practice in the Unit used to be before, and to keep proper records thereof;

Provisions relating to the rights and obligations of convicts to be re-displayed in visible places in the Unit, and also, in addition to the brochures distributed to convicts, it is necessary for officials to acquaint convicts with their rights and obligations in a manner appropriately understandable to each convicted person separately, taking into account the illiterate convicts.

Review no.32

Overview of recommendations given to the Directorate for Execution of Sanctions

The Directorate for Execution of Sanctions needs to take into account the needs of the Kumanovo Prison for employment and promotion of officials in preparing the joint report submitted to the Ministry of Information Society and Administration and the Secretariat for Implementation of the Framework Agreement of the Government of the Republic of North Macedonia, in accordance with the Law on Public Employees. Special care should be taken to ensure that prison staff are professional and knowledgeable, familiar with the procedures and standards for dealing with persons deprived of their freedom and their rights, and that any takeover of staff from other institutions must follow after previous training and acquired skills to work in places where persons are deprived of their freedom;

To provide funds for improvement of the material conditions in the Open Unit of the Kumanovo Prison in Kriva Palanka for renovation and conversion of the premises that were previously used for serving a disciplinary punishment - solitary confinement, for proper equipping of the premises where the convicts are accommodated, as well as for renovation and proper equipping of toilets.



3.4

ARRESTING UNIT WITHIN THE CLINICAL CENTRE IN SKOPJE

The visit to the Arresting Unit within the Clinical Centre - Skopje was conducted on 06.12.2019, in cooperation with an external associate - psychiatrist from the Psychiatric Association.

3.4.1. General data

The Arresting Unit within the Clinical Centre Skopje is used only for accommodation of convicts who need hospital treatment at one of the clinics in the Clinical Centre, as well as in the course of the stay during the control examinations of the convicts.

During the visit to the Arresting Department, 3 convicts were accommodated there for treatment, one of whom suffered from TB and was placed in a separate isolation room.

In the Arresting Unit there are permanently engaged officials only by the Prison Police of the Idrizovo Penitentiary. **However, the number of engaged prison police officers in the unit is not enough to meet all the security risks that exist in the unit where convicts are housed.** In addition to prison police officers, an open-treatment convict has been assigned to the Arresting Unit as an assistant.

3.4.2. Material conditions

The arresting unit is housed in a separate building in the Clinical Centre, which is physically secured with a fence and barbed wire. There are several rooms in the building: 1 office/main room, 1 reception room - waiting room for convicts brought from the Idrizovo Penitentiary only for inspection and control - expanded with a kitchenette and a place for storing food for officials and the assistant; 1 clinic in which a convict with open treatment /assistant sleeps, 1 room for rest of officials and storage for additional needs, as well as "hospital" rooms for 24 hours stay of the treated convicts, 1 of which is for women.

During the inspection of the premises where the convicts were accommodated, broken and dysfunctional doors were noticed in the hospital rooms, wet walls, beds with old mattresses and pillows, without bedding, covered with worn out blankets and personal towels, unhygienic, with large dark stains from old blood and with an unpleasant odour.

The hygiene of the hospital rooms is maintained by the convicts themselves, who are accommodated in them with hygienic utensils and means provided by the responsible officials. **Due to the danger of abuse and possible poisoning, especially of convicted persons who manifest suicidal behaviour or have made such allegations, it was recommended to take special care of the type of hygiene products given to convicted persons.**

The rooms are lit with neon lights and heated by central heating, and the room temperature was satisfactory. The rooms have large windows and enough daylight. They are blocked at the bottom, and there are bars on the outside.

There is no special emergency call or signalling system in the premises, nor is there any video surveillance installed, forcing convicts housed in hospital rooms to shout and knock on doors to make contact with an official.

Hospital rooms are not equipped with radio, television, board games, regular newspapers, books, etc., and convicts do not have the opportunity to walk outside the hospital room, that is, outside the department building.

There are no special rooms for visiting a lawyer, family, etc. in the building, and when there are visits by the family, it is done in the presence of an official from the prison police.

3.4.3. Healthcare

During the visit, the NPM team concluded that the healthcare of convicts is realized in several ways, as follows:

- Outpatient examinations and outpatient interventions (first and control ones), when the convicted person is brought and returned to the Idrizovo Penitentiary, in an official vehicle and with official escort from the Institution where he/she was sent.

- Hospital treatment and permanent residence in the health institutions of the Clinical Centre where the security is realized by the officials from the Prison Police;
- Prolonged treatment with accommodation in the Arresting Unit. The healthcare for these people is continued by the medical staff of the Clinical Centre who provide healthcare as needed, on call within 24 hours. In these cases, the security is organized by the officers in the Prison Police of the Arresting Unit..

The decision to refer the convicted person for a medical examination, the type of medical intervention, the therapy and the type of treatment is entirely within the competence of the responsible medical staff in the Institution from where the convicted person is sent. Thus, the medical person, doctor of medicine from CPI Idrizovo refers the convicts with a referral to the specialists in the Clinical Centre, previously agreeing the examination, and the course of further treatment is entirely under the competence of specialist doctors, including the need for accommodation in the Arresting Unit.

As there are no conditions for medical interventions in the Arresting Unit or for the provision of medical therapy, these are performed in individual clinics.

During the visit, it was concluded that, as an established practice, during the examinations in the premises, officials from the prison police were also present. In this regard, the presence of prison police officers during medical examinations was recommended only in cases where the doctor explicitly requests such a thing and only on the basis of previously made individual assessments of the need for it, that is, in cases of high security risk.

The records of health services for each convicted person, except in the health card of each convicted person, are kept in the Reporting Book of the officials. The same book records all other changes relating to the convicts, as well as other important data.

Regarding the tablet therapy, the NPM team established that it is kept in an ordinary locker located in the duty room in the administrative part of the Arresting Unit, and it is distributed by the convicted person with open treatment who is engaged in the Unit, in the presence of an official from the prison police.

In the main office room, in a keyless drawer, the liquid state "Methadone"/ "Heptanon" is stored, which is used in the treatment of people addicted to opioid drugs.

According to the information from the officials, the transport, handover and distribution of "Methadone" to the end users takes place as follows:

- Daily doses of "Methadone" are prepared in the clinic of CPI Idrizovo, for several days (usually for 3-4 days), and according to individual daily doses for each treated convict;
- The prepared daily doses of "Methadone" in the clinic of the Idrizovo Penitentiary are handed over to an official, non-medical person and it is not known whether that official is signed on the list for Methadone therapy;
- Methadone therapy is carried by an official to the Arresting Unit, in an official vehicle, in a plastic bag;
- The official hands over the prepared methadone therapy to another official in the

Arresting Unit and leaves it in an ordinary keyless drawer. Upon the handover, there is no record or any other signed document;

- If the convicted person is hospitalized and stays in one of the clinics, officials are organized to guard him/her and in such cases methadone therapy is given to these officials and they are expected to provide methadone therapy to the treated convict;
- When receiving methadone therapy, the treated convict does not sign that he/she has received it.

Based on the situation, the NPM team recommended that the rules regarding the distribution of "Methadone" be fully complied with, which, among other things, provide:

- The transport of the methadone therapy from the Idrizovo Penitentiary to the Arresting Unit is to be organized in a secure mobile locked safe.
- According to the legal regulations, the only authorized persons to handle methadone therapy (preparation, storage and distribution) are the medical persons.
- Provision of documentation for the handover of methadone therapy.
- Ensuring the storage of methadone therapy in the Arresting Unit in accordance with the legal regulations (locked safe) or to ensure safe storage of methadone therapy in the health facilities of one of the clinics, according to a previous agreement.
- Ensuring the delivery of methadone therapy to the treated convict by a medical professional and the signing of the appropriate medical documentation.

3.4.4. Transport of sick convicts and use of coercive means

During the visit, an inspection was made of the transport vehicles of the Idrizovo Penitentiary, in which the convicts are being escorted to the Arresting Unit.

In this regards, the NPM team noted the terrible condition of vehicles transporting sick convicts, which could jeopardize the health and lives of convicts and they do not correspond to the purpose for which they are used, that is, transport of sick people. Namely, the vehicles are old and almost obsolete, they have not installed ventilation, heating, as well as other safety and protective measures for transport of convicts who need medical care outside the prison institution. In one of the vehicles, in the part where the sick people are transported, and which was in a terrible material condition, blood puddles were found.

Regarding the use of coercive means in the transportation of sick convicts, the National Preventive Mechanism recommended that regardless of the punishment and treat-

ment of sick persons in the Institution, individual assessment of the need to use tying means must always be made. This also applies in cases where convicts are being transported from the Arresting Unit to one of the clinics within the Clinical Centre, because the escort of sick convicts with handcuffs, depending on the situation, can be considered humiliating and degrading.

3.4.5. Overview of given recommendations

Prior to the preparation of this Annual Report, no responses were received from the Idrizovo Penitentiary and the Directorate for Execution of Sanctions, due to which the following represents an overview of the recommendations given:

Review no.33

Overview of recommendations given to the Arresting Unit - KPD Idrizovo

Proper equipping and regular maintenance of the rooms in order to protect them from destruction or damage, and in order for them to be able to meet the conditions necessary for accommodation of sick convicts;

To take special care of the type of hygiene products given to convicts, due to the danger of abuse and possible poisoning, especially of convicts who manifest suicidal behaviour or have made such allegations;

To install a special call or signalling system in emergency rooms in hospital rooms;

The presence of prison police officers during medical examinations should be only in those cases when the doctor explicitly requests such a thing and only on the basis of previously made individual assessments of the need for it, that is, in cases of high security risk;

Convicts should only be treated by a medical professional;

Urgent steps should be taken to replace prisoners who perform the duties of a nurse with qualified healthcare staff, and in this regard the management of the Idrizovo Penitentiary should contact the competent authorities to ensure constant healthcare for convicts during their stay in the Arresting Unit, respecting the principle of medical confidentiality;

Provision of appropriate transport vehicles in accordance with the required standards for transport of convicted persons with health problems;

During the transfer, as well as at the reception of the clinics, the convicts should be handcuffed only on the basis of individual risk assessment, and not in all cases when the persons are escorted from prison to hospital, as well as when they are accompanied during their examinations at the Clinical Centre in Skopje;

**Overview
of recommendations given to the Arresting Unit - KPD Idrizovo**

Efforts should be made to recruit an additional number of prison police officers in the Arresting Unit;

Convicts who are being treated in hospital should be allowed to spend adequate time during the day in the fresh air;

To adjust special rooms for conversation of convicted persons with a lawyer, as well as for exercising the right to a visit;

Compliance with the rules regarding the distribution of “Methadone”.

Review no.34

**Overview
of recommendations given to the Directorate for Execution of Sanctions**

To provide resources for proper equipping and regular maintenance of hospital rooms in order to protect them from destruction or damage;

Provision of appropriate transport vehicles in accordance with the required standards for transport of convicted persons with health problems.



3.5

CPI OHRID PRISON AND EDUCATIONAL – CORRECTIONAL HOME IN TETOVO

The visit to the Ohrid Prison and the Tetovo Educational-Correctional Facility, which is part of the Ohrid Prison, was conducted on June 15 and 16, 2019, in cooperation with external associates: a psychiatrist from the Association of Psychiatrists, a social worker from the Association of Social Workers of the City of Skopje and forensic scientist from the Institute of Forensic Medicine, Criminology and Medical Deontology.

3.5.1. General data

According to the Decision for deployment of the convicts and juveniles in the penitentiary-correctional and educational-correctional institutions and the detainees in the detention units of the penitentiary-correctional institutions in the Ohrid Prison, the following persons shall be accommodated:

- male persons – young adults and minors sentenced to a juvenile imprisonment by an effective verdict;
- Male and female persons - against whom detention has been determined from the area of the basic courts of Debar, Ohrid and Struga, except for detention determined for criminal offenses for which a prison sentence of at least 10 years or life imprisonment is prescribed.

The Tetovo Educational-Correctional Institution, which implements the educational measure-referral to the correctional facility for males, aged 14 to 23, from 2015, is also

located within the Ohrid Prison, in a specially improvised separate part. The inadequacy and unsustainability of such a “temporary” solution was also pointed out by the director of the Prison, who pointed out that the same problem was addressed to the Directorate for Execution of Sanctions, where he received a notification that a new facility of the educational-correctional home was under construction.

During the visit to the Prison, a total of 10 people were there who were sentenced to juvenile prison by an effective verdict, as well as 12 people in the educational-correctional facility, 2 of whom were reported to have escaped.

3.5.2. Material conditions

The Ohrid Prison and the Tetovo Educational-Correctional Facility are housed in the same building in the centre of Ohrid, surrounded by residential buildings that directly “hang” above the building of the Prison, that is, over its central outdoor space intended for sports, recreation and leisure activities for children, which is why they are directly exposed to views, comments and remarks from people living in the surrounding area, disrupting their anonymity and privacy.

The children, that is, the persons sentenced to a final sentence of juvenile imprisonment, were placed in 3 rooms, three of them in two rooms and four in one room.

The part, which houses the persons serving a security measure, that is the Educational-Correctional Home, is separated from the prison part and the persons sentenced to juvenile imprisonment with only one door.

In this part, the children are also accommodated in 3 rooms, of which: in a room with an area of 16m² there are 2 children, in the second room with an area of 21m² there are 5 children, and 5 children are accommodated in the third room with an area of 33m².

The room temperature during the visit was 24°C, but some children said they were not warm enough during the winter when outdoor temperatures were low. The humidity level was within acceptable limits, that is, 50-54% R.H.

Hygiene in all rooms is taken care of by the people themselves, that is, children, and during the visit the rooms were generally clean.

The rooms are equipped with beds, storage cabinets for personal belongings, TVs and large windows from which enough daylight enters. The beds were clean and tidy.

In each part, there were two toilets, and in all the toilets, part of the sanitary units was dysfunctional.

The walking area for these two parts is actually a common yard, divided by a tin fence, and is used for sports activities and walking in fresh air, but only in favourable weather conditions, because it is outdoors and has no covered part.

The detention unit of the Ohrid Prison consists of 6 rooms with two beds each, which are also used as solitary confinement for persons sentenced to juvenile imprisonment. In

addition to these, there are 6 other rooms for individual stay, for which the officials pointed out that they are no longer used, because they are in poor condition. The detention rooms have an area of 10 m².

During the visit to the premises, a high humidity level of 63-66% R.H. was measured, and the temperature was 20-21°C. The beds are equipped with mattresses, pillows, blankets and clean bedding, and the detainees themselves take care of the hygiene and it was generally satisfactory.

The daylight that penetrates through the windows above the detention rooms is insufficient, and there is artificial lighting that can only be activated from the outside. The premises have a special ventilation system, and on the day of the visit they were ventilated.

In each of the rooms in the detention unit there is a signalization system, that is, a system for calling the officials.

There are two toilets in the detention unit, one of which is located at the end of the hallway where the premises are, and the other is outside, near the walking area. The toilets were generally clean, and also in front of the prison police room there is a bathroom with a shower for the needs of the detainees, that is convicted persons/children who are serving a disciplinary measure - solitary confinement.

Immediately next to the part where the detention rooms are located, there is a walking area intended for the persons accommodated in these rooms. **The walking area is not equipped with additional leisure equipment, such as benches and chairs, nor is there a covered area that would be used in case of bad weather, which makes it practically impossible for people to properly use the right for outdoor walks.**

The clinic in the Prison consists of one room, which at the same time serves the medical needs of both institutions (the Educational-Correctional Home and the Ohrid Prison). The clinic examines the children and keeps the medicines that are regularly prescribed, but it does not have basic medical devices. **Namely, the clinic only has a stethoscope at its disposal, and the other necessary devices for a clinic in general medicine are missing (eg. blood pressure monitor, laryngeal mirror, spatulas, ear funnel, ophthalmoscope for eye examination, etc.). An ECG device was found in one of the medical cabinets in the clinic and it was obvious from its current condition that it had not been used for years.**

The clinic room is lit with artificial light, no window, no daylight, the hygiene in the room is satisfactory, but it is minimally equipped with the necessary equipment (doctor's desk, medical examination bed and two medical cabinets).

The medicines are stored in a locked medical locker accessed by an employee of the Security Department, which is responsible for distributing the therapy. The supply of the most necessary medicines is appropriate, and most of them are medicines for mental illness (antidepressants, antipsychotics, anxiolytics, etc.), medicines against neurological diseases (antiepileptics), painkillers, medicines for stomach problems, wound disinfectants and the like. The health cards are kept in a special place in the clinic and they are neatly filled. From the rest of the medical documentation, an outpatient record is regularly

kept for the examinations performed by the doctor, as well as a record for a given therapy, in which it is stated daily to whom and at what time the therapy is distributed.

3.5.3. Healthcare

The healthcare in the Ohrid Prison, at the same time for the Educational-Correctional Home, is provided through the Health Centre Ohrid, from where once a week a doctor who performs examinations of the persons who need a health examination comes, and if necessary the doctor comes additionally or on call. The Deputy Director of the Institution emphasized that the costs for the health services, that is, the healthcare are borne by the Institution.

Each person has a health card that records a brief medical history, personal and family history, as well as health status (primarily the somatic status, without special reference to the mental status), taken upon admission to the Institution, and changes that occur with a change in the health condition.

From the inspection of the health records and documentation, it was concluded that the physical finding regarding the bodily signs for injuries inflicted under the influence of external force (violently or accidentally) was not recorded. Namely, in the medical documentation there are no forms on which such injuries could be recorded (bodily schemes with the possibility of recording the location of the injury and the nature of the injury).

During the visit, it was also noted that children with more serious health problems are not referred regularly and in a timely manner to specialist examinations or interventions. Namely, for two children suffering from epilepsy it was found that the ambulance team had been called, but they were not sent for check-ups by neurologists for verification of the medical condition and dosage of antiepileptics, despite having several attacks when the sentence was served.

There is no dentist in the Institution itself, which is why the children, usually in a group of two to three children, are taken to the dental examinations and the dentist's interventions in the Health Centre. The children are also referred to psychiatric examinations, and in this context it was concluded that: 1) when admitted to the Institution, some of the children have already been prescribed psychiatric therapy due to their disordered behaviour and they continue to receive psychotropic drugs upon arrival (sedatives, antipsychotics, and hypnotics) for "better behaviour control"; 2) a large part of the children in the Institution are users of psychoactive substances, which additionally affect the mental status and general health status of the child, so they need control of the condition or continuation of the therapy started earlier; 3) Most of the children have a history of negative life experiences and traumatic events early in life and as a result have long-term psychological consequences that primarily affect the child's behaviour and experience, and for such conditions health professionals (doctors, psychologists, social workers) in charge of treatment are not trained, nor are they adequate in number; 4) due to the aggressive

and antisocial behaviour, the children are more often referred to a psychiatrist for lack of psychosocial treatment and rehabilitation by professionals in the educational-correctional facility;

The NPM team also established that the psychiatric examination usually does not take place in a confidential atmosphere, alone with the psychiatrist. Namely, during the examinations, a person from the Security Department who accompanies the child is present and who, in fact, usually gives information to the psychiatrist about what is happening to the child and what its behaviour is like. Very rarely does the child itself have the opportunity to express its experiences and feelings about its condition. Thus, the dosages of prescribed drugs and the regulation of therapy depend to a large extent on the information that the psychiatrist has received from the child's escort. The child alone is not able to agree or disagree with the prescribed therapy, and there is no psychological-counselling activity where the child can be further treated.

Children who are users or addicts of psychoactive substances, that is, opiates are placed on a replacement therapy with Methadone, which is regularly supervised by health professionals from the Ohrid Addiction Centre.

The most commonly prescribed therapies are anxiolytics - Diazepam and Demetrin, hypnotics (sleeping pills) - Sanval, which can be prescribed by a doctor who is on duty, and antipsychotics - Prazine, which is prescribed by a psychiatrist. From the conversation with the doctor, the NPM team learned that most of the children are already coming to the institution with prescribed therapy by a psychiatrist. Children do not have access to opioid analgesics (which they often abuse) because there are no such drugs in the clinic.

From the inspection of the individual files, it was concluded that most of the children in the Institution, according to the records of the Institution, are children with "behavioural disorder, antisocial behaviour, personality disorder, low threshold of tolerance of frustration, impulsivity and aggressive actions, followed by deviant behaviour, as well as low social and educational status." Such disorders are often the result of years of neglect, physical and emotional abuse in their primary families, but also in institutions where they were previously housed.

In this regard, it was concluded that the doctor in the Institution acts primarily in terms of healthcare for the somatic health, without special training to approach the experiences of stress and trauma in childhood and adolescence, which these children have most often experienced. The doctor is not part of a multidisciplinary medical-psycho-social team and a care and protection programme.

3.5.4. Use of force/means of coercion by officials

The conversations with the persons serving their sentences in the juvenile prison resulted in information that they were often subjected to force by the members of the prison police. Namely, they pointed out that they were slapped and hit with rubber ("Bulgarian") batons, and one of the children pointed out that it was tied with handcuffs. They pointed out that most often the officials use force in the places that are outside the reach of the video cameras placed in the institution, and as a place where they were "beaten", they pointed out the dining room.

In a conversation with one of the children serving a prison sentence, information was received that it was hit with a rubber baton. During the examination of the body, a visible injury was ascertained, for which the external associate - forensic scientist assessed that the injury really originated from a blow with a rubber baton. Namely, from the performed examination it was noted that in the area of the back on the left side there is pigmentation of the skin which has an elongated oval shape, obliquely transversely placed with dimensions 8x1.5 cm. The forensic scientist concluded that this pigmentation, according to its appearance and colour, is not inborn, but acquired from a blow with a baton. According to the appearance and colouring of the skin, skin pigmentation occurred one month before the day of the examination performed by the expert, otherwise part of the NPM team during the visit.

Within the framework of the institution, the Civil Control Mechanism was informed about the established case, which according to the Law on the Ombudsman has the authority to determine the situation regarding the actions committed by persons with police authorizations and members of the prison police.

From the conversations with the doctor, the NPM team was informed that most often the injuries are not reported, especially the injuries caused by mutual fights or bad treatment of children by officials, and if accidentally "discovered" they are explained by an accidental hit or fall. Injuries resulting from an accident or fall are not recorded anywhere (this refers to injuries such as bruising, denting, which do not require urgent intervention such as fractures), nor is the child's statement about the way of acquisition of the injury recorded, which is important in terms of prevention of repression and physical abuse.

In this respect, it was stated that the Institution does not provide conditions for effective protection of persons who are subject to any form of repression by other children or by staff, as there are no opportunities for the child's transfer, alternative accommodation, or avoidance of everyday contacts.

3.5.5. Complaints system

From the conversations with the officials, information was received that there is a special register in the institution for recording complaints, but that so far there has not been a single case in which a formal procedure was conducted for examining allegations of possible violation of rights or complaints regarding the conduct of officials. Officials from the Resocialization Department informed that most often the problems are solved through mediation and reconciliation. **The persons, that is, the children, pointed out that some of the problems are really addressed directly to the educators, but that most often they do not point out the real problems (as they themselves pointed out about the problems related to the inappropriate behaviour of officials towards them), because they do not believe that such allegations will be approached independently and that such cases will be investigated impartially.**

In this regard, it was concluded that the children are not sufficiently and fully acquainted with the mechanisms for protection of their rights, nor with the possibility where and how they can address the complaints related to their treatment and possible violation of their rights. As a result, it was suggested that prison authorities should immediately take action to acquaint and inform these persons in an age-appropriate manner about the possibility of addressing complaints and appeals in cases where they feel that their rights have been violated. They also stressed the need to conduct thematic counselling with children, as well as to distribute information brochures in the form of a list of information about the complaint systems available to them, both internal - to the prison authorities and external - complaint to the Ombudsman and to international bodies. The NPM team especially emphasized the ban on any kind of oppression, that is, negative consequences for children due to the stated allegations, regardless of whether they are justified or not.

3.5.6. Procedure for determining disciplinary liability and imposing a disciplinary sanction

The procedure for establishing disciplinary responsibility is conducted in accordance with the rules established in the House Rules for convicted persons serving a prison sentence, as well as in accordance with the House Rules for the protégés serving an educational measure - referral to an educational-correctional facility.

The commission that implements the procedure for disciplinary liability is composed of 3 members, that is, 1 psychologist - educator, 1 psychologist - social worker and commander of the prison police. In cases when it is a matter of establishing disciplinary liability of persons serving a juvenile prison sentence, the procedure is initiated with a draft report by an official who found the violation of the House Rules, then a statement is taken from the person to whom the report refers, statements are taken from other persons

who have information about the event that is the subject of the procedure, and also the hearing of the person and other persons is performed, for which a report is compiled accordingly, which, depending on the outcome, contains opinions, that is, a proposal to the director from the educator, the psychologist, the member of the prison police (as well as from the doctor in cases when a disciplinary sanction - solitary confinement is proposed), regarding the need and type of disciplinary punishment to be imposed.

Those who serve a sentence of juvenile imprisonment, as well as those who are referred to an educational measure - referral to an educational-correctional facility, are given a copy of the decision on the imposed disciplinary measure. Although the decisions include a lesson on the possibility of taking legal action against such a decision, so far there has been no case for anyone to do so. From the conversation with the children who were pronounced disciplinary measures, it was stated that none of them intended to appeal the decision on the disciplinary action to the Directorate for Execution of Sanctions, primarily due to the lack of confidence that it could change the already established disciplinary sanction.

From the inspection of the records for imposed disciplinary penalties, it was concluded that in 2019 a total of 8 disciplinary penalties were imposed, of which: 5 disciplinary penalties - solitary confinement lasting 10 days, 2 disciplinary penalties - solitary confinement lasting 5 days and one conditional postponement of the disciplinary sanction of solitary confinement for 5 days. From the register for imposed disciplinary penalties it can be concluded that the children who were sent to serve a disciplinary punishment - solitary confinement have already been pronounced such measures several times before.

If we take into account the standards of the European Committee for the Prevention of Torture (CPT) which stipulate that solitary confinement as a disciplinary measure should be imposed only for a short time and under no circumstances more than 3 days, it is indisputable that the **imposition and execution of disciplinary sanctions solitary confinement for a period of 5 and 10 days for children serving a juvenile imprisonment is contrary to the established standards.**

In this regard, the NPM recommended that when conducting disciplinary proceedings and imposing disciplinary sanctions, special attention be paid to the provisions of the Law on Execution of Sanctions, which provide that "It is not allowed to apply a special measure to maintain order and discipline – solitary confinement to children". The recommendation contained in the Istanbul Statement on the use and effects of solitary confinement, which stipulates that solitary confinement should be strictly prohibited in cases involving children under 18 years of age, was also noted.

During the inspection of the book on disciplinary penalties, the fact that in 2019 **one and the same child was sent 3-4 times to serve a disciplinary sanction solitary confinement, in very short time intervals, is striking.** Namely, due to causing "general danger and destruction of inventory with intent", the child was first sent to serve a disciplinary punishment solitary confinement for 10 days in the period from 14 to 24.02.2019. After only 4 days, the child was again sent to serve a disciplinary punishment solitary confinement for 10 days in the period from 28.02.2019 to 08.03.2019, and due to attempted escape the same child was sent to solitary confinement for another 10 days also in the period from 23.03.2019 until 02.04.2019. Due to self-harm, which by the way in the House Rules is not provided as a disciplinary violation, this child was again referred

to solitary confinement in the period from 14 to 19.05.2019.

The referral of a child for more than 30 days to solitary confinement for a short period of time may in no case be justified. This action by the prison authorities is inadmissible and contrary to all the standards contained in the international documents on children's rights and the recommendations of international bodies which provide for an absolute ban on the expression of solitary confinement as a measure against children, primarily due to the proven negative effects of this measure on their mental and physical health, which are better analysed in scientific and professional research.

The NPM team also expresses particular concern over the fact that **children from juvenile prisons are being disciplined to serve in solitary confinement in rooms that are in extremely poor material condition, far below all minimum standards for accommodation.**

Namely, from the conversations with the children, allegations were made that they were directed to serve the disciplinary punishment solitary confinement in the so-called old detention premises, for which the NPM team received information from the officials that those premises have not been used for many years. However, despite the information from the officials that some of the detention premises are not used at all, during the inspection thereof, the NPM team concluded that some of the children were really referred to serve the disciplinary measure solitary confinement in those premises.

In this regard, the NPM team concluded that one of the children had signed the inner door of the room for which the officials stated that it was not used, and the date under his signature corresponded to the dates for the period recorded in the official records that he was referred to serving a disciplinary penalty - solitary confinement. Afterwards, an additional conversation was held with the child, who confirmed that he was referred to serve the disciplinary punishment - solitary confinement in that room, describing it in detail.

The NPM team concludes that the referral and accommodation of the children in those premises can be associated with the term inhuman and degrading treatment, due to which it recommended immediate sealing of the so-called old detention premises and a ban on their use.

3.5.7. Resocialization

The Resocialization Department is composed of two female officials, psychologists by profession and one social worker (who performs only administrative work when receiving or discharging a child/person after the measure is completed).

In the treatment activities, the persons sentenced to a final sentence of juvenile imprisonment, as well as the persons referred to the educational-correctional facility, are divided into two groups, for which the two professionals - educators from the institution

are responsible. The treatment for resocialization includes: individual and group work with the children, occupational therapy and organizing their free time. Namely, most often in the individual work with children, the professional worker applies: the method of counselling, conversation and information. The group work with the children is realized in small groups, most often depending on the needs of the children, they are organized once a week, or once every ten days a month. The time period of group activities varies depending on: the thematic contents covered, the children's attention, needs and interests.

The biggest obstacle in the realization of the re-socialization process is that the children, before coming to the penitentiary-correctional institution, have not acquired personal, educational habits.

3.5.8. Overview of given recommendations

Review no.35

Overview of recommendations given to Ohrid Prison	
Recommendations	Response upon recommendation
To adapt another room in which the health examinations will be performed, and which will satisfy the elementary human conditions during the examination;	Dislocation, adaptation and conversion activities of a suitable room for health care have been undertaken;
Provision of basic medical devices for the needs of the clinic in the Institution;	It is not within the competence of our Institution;
To comply with the stipulated deadline of 24 hours for a medical examination when a person is admitted to the Institution;	It is applied and respected. The children are examined within the legal deadline of 24 hours;
Regular and timely check-ups with a specialist for children with more serious health problems must be organized;	It is applied and regularly acted upon the referrals for specialist examinations;
Immediately stop the practice of conversations of the children with a psychiatrist in the presence of a representative from the Security Department and allow children appropriate contact and conversation with a psychiatrist alone, so that they would be able to express their experiences and feelings about their condition themselves;	The protocols for healthcare of children are acted upon. The presence of officials is also based on the requirements of health professionals;

Overview of recommendations given to Ohrid Prison	
Recommendations	Response upon recommendation
<p>The doctor in the Institution, whose obligation is the good psycho-physical condition of the children, to be properly trained to recognize and adequately respond to the specific conditions of the children;</p>	<p>It is not within the competence of our Institution;</p>
<p>The measure - referral of a child to “solitary confinement” is to stop immediately, and in the future, in case of a necessity to use disciplinary measures against a child, apply the provisions of the Law on Execution of Sanctions Concerning the Imprisonment of Children;</p>	<p>It was introduced immediately, with the entry into force of the new Law on Execution of Sanctions (Official Gazette 99/19 dated 21.05.2019) and the special provisions for the execution of imprisonment for children;</p>
<p>Urgent sealing of the so-called old detention premises and a ban on their use;</p>	<p>It was acted accordingly - the old solitary confinement premises are sealed, as noted by the NPM team;</p>
<p>The NPM team strongly condemns the use of physical force against children and calls for immediate action to detect the use of physical force in the Institution, as well as initiating an appropriate procedure against those responsible for the use of physical force against children;</p>	<p>Any disposal, carrying and use of coercive means by members of the prison police is prohibited;</p>
<p>Effective and timely recording of all forms of injuries inflicted on children, regardless of whether they occurred as a result of self-harm, injury by another child or in cases where physical force was used against the child by prison police officials.</p>	<p>A book on child injury records is kept and updated.</p>

GENERAL RECOMMENDATIONS FOR THE VISITED PENITENTIARY-CORRECTIONAL AND EDUCATION- AL-CORRECTIONAL INSTITUTIONS IN 2019

- 1. Urgent undertaking of measures and activities for full respect of the right to healthcare of convicts and detainees;**
- 2. Carrying out efficient investigations for all allegations of harassment and inappropriate treatment of persons in penitentiary-correctional and educational-correctional institutions;**
- 3. Undertaking activities for relocation of persons/ children who have been sentenced to juvenile imprisonment or sent to an educational-correctional facility in facilities that meet the prescribed international standards for detention of persons, appropriate to their age;**
- 4. Increasing the number of prison officers (in the prison police and resocialization departments) in order to enable employees to be in a position to maintain effective control over institutions and to guarantee a safe environment for themselves and the prisoners. Special care should be taken to ensure that prison staff are professional and skilled, familiar with the procedures and standards for dealing with persons deprived of their freedom and their rights, and that any take-over of staff from other institutions must follow previous training and acquiring of skills for work in places where persons are deprived of their freedom.**

4

VISITS TO OTHER PLACES WITH LIMITED FREEDOM OF MOVEMENT

During 2019, the Ombudsman - National Preventive Mechanism, in addition to visits to primary detention places for persons with limited freedom of movement, conducted 3 preventive visits to other places with restricted freedom of movement.

Namely, 2 unexpected preventive visits were made to the PHI Psychiatric Hospital Demir Hisar and PHI Psychiatric Hospital Negorci, as well as 1 regular preventive visit to the PHI Psychiatric Hospital Skopje.

The visits were made unannounced, based on a previously prepared visit plan and in accordance with the Annual Work Programme of the National Preventive Mechanism for 2019.

Special reports were prepared on the established conditions with specific recommendations, which were submitted to the directors of the institutions and to the relevant bodies and ministries.



4.1

PHI PSYCHIATRIC HOSPITAL DEMIR HISAR

4.1.1. General data

During the first extraordinary visit on February 14, 2019, the National Preventive Mechanism, following a complaint filed by the parent of a patient placed in the Psychiatric Hospital Demir Hisar for the occurrence of lice in the hospital, conducted an extraordinary visit to PHI Psychiatric Hospital Director Demir Hisar where the NPM team had a meeting with the director and the employees of the institution and had direct conversations with some of the patients, and at the same time it was determined how the persons exercise the rights guaranteed by the Law on Mental Health, the Law on Protection of Patients' Rights and bylaws. This was the third visit by the NPM team, after the visits on 20.11.2012 and 26.03.2014.

Namely, the parent of a patient placed in the Psychiatric Hospital Demir Hisar, at the beginning of January this year, complained to the Ombudsman that his child and other patients were infected with lice and that they lived in that unbearable condition for a long time. Acting upon the complaint, the Ombudsman immediately sent a request to the State Sanitary and Health Inspectorate to perform an unannounced inspection control to the indicated psychiatric hospital.

The Ombudsman continues to monitor the case, thus monitoring the implementation of the measures through the Inspectorate.

Regarding the visit relating to the specific case, the National Preventive Mechanism stated that no epidemic of lice was found in the Psychiatric Hospital Demir Hisar, so the

NPM team continued to conduct a full visit to the Psychiatric Hospital Demir Hisar, within its mandate arising from the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Law on the Ombudsman. The purpose of the visit, among other things, is in accordance with the Optional Protocol identification of risks to prevent torture or other cruel, inhuman or degrading treatment or punishment, by inspecting the material conditions in the public health institution, dealing with patients, exercising the rights guaranteed by the Law on Mental Health, the Law on the Protection of Patients' Rights and other legal acts, as well as the keeping of records regarding this category of persons.

The NPM team, during the visit to the Psychiatric Hospital Demir Hisar, came across documents that show that the last one was performed on January 29, 2019, for which the NPM team was provided with an official document. However, this date does not match the date of the last conducted disinfection, disinsection and deratisation (DDD) submitted by the State Sanitary and Health Inspectorate.

The visit to the Demir Hisar Psychiatric Hospital was carried out in several steps. The team of the National Preventive Mechanism started the visit by talking to the employees who were at work at the time of the visit (specialist doctors, nurses, technicians, paramedics, etc.). Afterwards, an inspection of the accommodation facilities was conducted, confidential conversations were conducted with several patients upon choice, an inspection of the other common and auxiliary rooms (dining room, kitchen, etc.) was performed, and the Rehabilitation Centre was inspected. A number of medical files and other patient records were randomly selected and inspected.

4.1.2. Conversation with the management structures and services of the Demir Hisar Psychiatric Hospital

The Public Health Institution Psychiatric Hospital Demir Hisar was established with the aim of accommodation, treatment, psycho-social care and rehabilitation of people with mental illness and other mental health problems. This health institution has a regional character, that is, it covers the south-western region of the Republic of North Macedonia.

At the very beginning, the NPM team conducted a conversation with the director of the health institution Demir Hisar, who gave an explanation about the competence she has as a manager of the institution, the way of managing it and the work of the Departments.

The psychiatric hospital is divided into departments, and each department has several units:

- Addiction Department - This department includes the Alcohol Unit and the Addiction Unit;
- Acute Department - Acute female unit; Acute mixed unit (adolescent unit) and Acute male unit;

- Judicial-psychiatric department - This department includes the Judicial Unit;
- Department for Prolonged Treatment and Rehabilitation - Chronic Male (V Unit) and Chronic Female (VII Unit) and
- Psychogeriatric Department - Geriatric male (IV Unit) and Geriatric female (VIII Unit).

At the Psychiatric Hospital Demir Hisar on the day of the visit the total number of patients treated in the hospital was 288. In addition to voluntary patients, the hospital accommodates people forcibly hospitalized in accordance with the Law on Extrajudicial Procedure, in order to stay in a public health institution for the treatment of mental illnesses, as well as persons whose admission to a psychiatric institution has been ordered as part of an appropriate criminal procedure, namely when a person has been sentenced to a security measure "mandatory psychiatric treatment and hospitalization in a health institution".

There is an Admission Department at the Psychiatric Hospital, where a doctor on duty is hired, in which a statement of voluntary hospitalization is signed. In the admission department, an assessment is also made for forced hospitalization, which is signed by two doctors. From the inspection in the admission log it can be determined that from the beginning of 2019, as of 14.02.2019, 47 patients have been registered. During 2018, 444 cases were registered, in 2017 469 cases, and during 2016, 456 cases were registered.

The NPM team determined that the hospital also has a special laboratory, which can perform routine laboratory tests that are needed for this type of treatment.

According to the management, the hospital has a sufficient amount of medicines and supplies, as well as a sufficient amount of food. It was emphasized by the director that the meals are sufficient and of good quality, at the same time meat, fruit and dessert are often served. The NPM team was informed that the institution is preparing a list of dishes for a period of one month, which during the inspection the NPM team could confirm, with the list being able to undergo changes depending on the needs and products found in the hospital warehouse.

Department of Prolonged Treatment and Rehabilitation - Chronic Male Unit - (V Unit)

From the inspection in one room of this Department, the NPM team determined that the room is in a very bad condition. Namely, the wall tiles are partially destroyed or fallen, at the same time holes are noticed in the walls. The beds were covered with old blankets, some beds did not even have sheets, some pillows were without covers and in unhygienic condition. The rooms where the patients were staying were dirty, there was garbage and water under the beds. The beds were old, made of metal.

There are heaters (radiators) in the rooms, and the floor is covered with laminate. NPM also inspected the dining room within this department and concluded that the dining room provides adequate conditions for the nutrition of patients, more precisely, it has a sufficient number of tables and chairs. The room itself is well lit by high windows that can also be used to ventilate and refresh the living room with fresh air.

The NPM team concluded that the toilets in the chronic male unit have not been renovated and they are in unenviable condition and have not been adapted to the needs of this category of persons, more precisely, a sanitary unit is still used.

The NPM team recommends reducing the number of patients in the accommodating rooms, renovating the unit (renovating the bathroom and toilets), and providing decent and humane conditions for patients in the accommodating rooms (providing cupboards, new beds and mattresses, etc.), in general improving the hygienic conditions for patients.

“Everyone with a mental illness has the right to a safe and secure environment.” Having in mind the above, the NPM team found a violation of the legally guaranteed rights of patients for a minimum of humane treatment and a safe environment.

The NPM team noted that in addition to the extremely poor material conditions (cracked and damp walls, unpleasant odours, extremely low hygiene), the life of patients was also very monotonous.

Chronic female unit (VII unit)

NPM inspected several rooms in this unit. During the inspection of the rooms, NPM determined that there were 6 beds in them, the beds were equipped with new mattresses, clean and new bedding owned by the hospital which were given as a donation. The floor of the premises is coated with new laminate, and in the premises radiators (central heating) are properly installed. The rooms, in addition to beds, are equipped with tables and chairs, as well as cabinets for storing personal belongings, and within this unit there is a separate living room.

The unit also has a separate living room. While inspecting this room, the NPM team concluded that the ceiling had recently fallen on the dining room, so it was closed and was no longer in operation. The chairs and dining tables were set up in the hallway in front of the rooms where the patients were staying. From the conversation with the medical staff, they pointed out that the floor is in a terrible condition and that they expect it to fall at any moment.

NPM also inspected the toilets and the shower in this unit, and determined that they were renovated and the hygiene was at a satisfactory level. The bathroom has 4 showers and central water heating, and patients must take a shower once a week.

The washing machine did not work, and the NPM team was informed that patients wash their clothes in the toilets themselves, and once a week the large laundry is used, but not all patients want to use it.

Geriatric male unit (IV unit)

During the inspection of the premises in the geriatric male unit, the NPM team determined that old beds with bars were placed in these rooms. The beds had no mattresses but improvised sponges that were torn and with holes in them. The sheets were in terrible condition with faces, urine, stains, torn. Patients' pyjamas were in very poor condition, dirty, with spots. One of the patients was found with a metal can lid that could seriously endanger patients' safety. **The NPM team recommends taking special care of the type of items or hygiene items given to patients, due to the danger of abuse and possible poisoning, especially of patients who manifest suicidal ideation or have made such allegations.**

At the entrance in front of the rooms and in front of the toilets, there was faeces. The NPM team concluded that the rooms in which the patients are housed are completely ruined, in a terrible hygienic condition. There was a lot of moisture and mould on the walls, windows and radiators. Some of the walls were made dirty with faeces. An unbearable stench spread throughout the unit. After talking with one of the employees, the NPM team was informed that in the toilet intended for staff, the ceiling is constantly leaking, and it is connected to drainage pipes and at any time can cause serious health problems for employees. Also, the employees complained about the extremely poor hygienic conditions in which they work and that they are constantly exposed to infections and bacteria.

The toilet in this unit was not renovated and was in a very poor condition. The sanitary facilities to meet the physiological needs and intended for showering were in very poor condition. The shower was not working, the tiles in the whole toilet were broken and the only part that was functional were the taps. The sanitary unit was in a dilapidated condition, in unhygienic conditions, and there was no water tank. **The NPM team stated that in general the condition of the toilets in this unit is at a terribly low level and there is no ventilation system.**

Within this unit there is a dining room that has a sufficient number of chairs and corresponds to the capacity of this unit. The food is brought from the main kitchen. Hygiene is maintained by an appropriate agency hired by the institution.

Geriatric Female Unit (VII unit)

The persons in this unit are accommodated on the basis of a given consent for voluntary treatment.

Unbearable stench is felt at the very entrance to the unit. The NPM team was informed that this unit accommodates people who are not able to take care of themselves and need constant medical supervision. The NPM team inspected the pharmacy in the nurse's room. All medicines had a good expiration date and anticonvulsant therapies, antibiotics, and daily therapy received by the patients were available.

The NPM team also inspected the book for records of admitted patients and several patient files at random. The NPM team tried to talk to several patients, but because it was a unit that accommodated difficult cases of patients, elderly people, they were not

contactable and we could not get any feedback on their treatment at the facility. During the visit to the rooms where the patients were accommodated, the NPM representatives noticed that most of the patients were in an uncontactable condition and quite “dizzy”, disoriented and sleepy. One of the patients was found to have facial injuries, to which we received a response that when they released her for the weekend, the patient was allegedly beaten by her daughter-in-law. **During the conversation with the patients, NPM noticed that most of the patients during the visit were dressed in hospital pyjamas and that some of the patients were wearing torn and dirty pyjamas.**

All patients in this unit had short hair and it was stated that these patients spent most of their time lying down and were prone to lice.

After inspecting the premises in this unit, the NPM team found a state of unsatisfactory level of hygiene and poor maintenance of the premises. Instead of mattresses, there were improvised sponges on the bed. Some of the beds did not have sheets, and the ones they had were dirty and torn. The pillows were old, torn and dirty. During the visit, the central heating did not work in the rooms.

The floor was laid with rubberized laminate that was torn in parts, with large holes and it was almost impossible to maintain proper hygiene. Huge amounts of moisture and mould were observed in the hallways and inside the rooms. There were no cabinets in the rooms for patients to store their personal belongings. The rooms had a capacity of 5-6 beds, but there was no separate living room within the unit. The toilets were renovated, but during the visit the light in the toilets did not work. **In front of the toilet, the ceiling was open and there was a hole that had not been repaired.**

Within this unit there is a dining room where patients consume food, and NPM during the inspection in it determined that the dining room is adequately equipped with a sufficient number of tables and chairs for all patients accommodated in this unit. **During the inspection of the dining room, NPM found a cat, which entered through the windows in the dining room. NPM believes that in the rooms where the patients are accommodated, there should be no presence of animals, in order to reduce the risks of transmitting certain diseases.**

Unit for Working (Occupational) Therapy (Rehabilitation Centre)

This unit includes a gym (fitness hall), ping-pong and rooms for occupational therapy, etc. Regarding the occupational-work part, there is one art therapist, one music therapist, one pedagogue working in the library and one cultural pedagogue. This centre can be visited by patients from all departments/units.

4.1.3. Insight into the documentation

The NPM team inspected the documentation, randomly, which is kept for each patient in the form of a file or history of illness, and it is determined that each file contains: a record of admission, an admission form signed by the escort and two doctors on duty, history of illness with anamnesis and objective finding, corporal finding, neurological and psychiatric findings, therapeutic list, consent for voluntary hospitalization, work plan of a professional team: social worker, psychologist, nurse, psychiatrist and room nurse, nurse list where from a nurse point of view a report on the course of treatment is given.

4.1.4. Overview of given recommendations

Review no.36

Overview of recommendations given to PHI Psychiatric Hospital Demir Hisar	
Recommendations	Response upon recommendation
The renovated facility, donated by the US Embassy and designed for people with disabilities, meets all the necessary standards and should be put into operation;	The building, which was built by the US Embassy, has been commissioned and festively opened by the Ministry of Health, Venko Filipche and people from the US Embassy. It is intended for the treatment of male geriatric patients with psychiatric disorders;
Continuous education of secondary medical and non-medical staff should be strengthened in the Hospital, as they are mostly in contact with patients who are treated in hospital conditions and they do not have prior medical education;	Educational trainings have been provided by medical staff-doctors and the chief nurse to persons with secondary medical school and persons with an advanced medical school;
Establish closer coordination between the occupational therapy unit and other hospital units in order to motivate patients for greater involvement in occupational therapy, as well as make efforts to motivate patients to decorate (beautify) the accommodation premises, which would be an additional visual stimulus to rehabilitate individuals;	Подобрена е координацијата помеѓу ЦентThe coordination between the Rehabilitation Centre and the hospital units has been improved, namely efforts are being made to activate patients in socio-therapeutic activities and occupational therapy, that is, to involve a larger number of patients in these activities;

**Overview
of recommendations given to PHI Psychiatric Hospital Demir Hisar**

Recommendations	Response upon recommendation
Reinforced education and information of patients for the purpose of setting up complaint and appeal boxes through which they can complain or report possible cases of violence or unprofessional treatment by staff.	Patients are constantly informed that they can complain about their stay and treatment in writing and submit that documentation in separate boxes for complaints and appeals;
	Sufficient amounts of cleaning agents are provided in order to maintain the hygiene of the premises and the sanitary facilities.

Review no.37

**Overview
of recommendations given to the Ministry of Health**

Recommendations	Response upon recommendation
Improving the material conditions and conditions in order to meet the desired standards: renovation of old buildings, improving the condition and hygiene of toilets and bathrooms and adapting them to this category of persons, providing new sleeping beds for each patient;	The Ministry of Health addressed the Project Unit for implementation of the project for reconstruction and extension of the facilities for the healthcare institutions in order to obtain data regarding the question asked by you, for which the project unit submitted information on the project "Construction of two new facilities for the needs of PHI Psychiatric Hospital - Demir Hisar;
Continuous education of secondary medical and non-medical staff should be strengthened in the Hospital, as they are mostly in contact with patients who are treated in hospital conditions and do not have prior medical education.	There was no response for the specific recommendation by the Ministry of Health.



4.2

PHI PSYCHIATRIC HOSPITAL NEGORCI-GEVGELIJA

4.2.1. General data

The second extraordinary visit of the Ombudsman - National Preventive Mechanism (NPM) was on 13.05.2019 where NPM paid an unannounced visit to the **Psychiatric Hospital Negorci, Gevgelija** within the mandate and competencies arising from the Optional Protocol to the Convention Against Torture and Other Inhuman or Degrading Treatment or Punishment and the Law on the Ombudsman. The visit was conducted together and in cooperation with external associates. This was the fourth visit by the team of NPM, after the visits on 27.11.2012, 05.03.2014 and 21.12.2017.

The purpose of the visit was to identify possible risks to prevent torture or other cruel, inhuman or degrading treatment or punishment, primarily by examining the treatment of patients by hospital staff.

In this regard, during the visit, the NPM team talked to the management and responsible persons at the Psychiatric Hospital, as well as other medical staff, and individual and group conversations were held with a large number of patients accommodated in different departments.

On the day of the visit to the hospital, a total of 222 patients were accommodated with 5 psychiatrists, 2 general practitioners, 35 medical staff, 30 paramedics, 3 social workers, 2 psychologists, a laboratory assistant, a biochemist and others non-medical staff (lawyer, etc.). **Compared to the previous visit in December 2017, there is an increase in the number of medical staff, but the need for employment of addi-**

tional professional staff and medical staff still remains. The lack of professional staff and medical staff increases the risk that patients will be left without the necessary care and attention, especially in the afternoon and evening.

In the conversation with the director, information was received that the services are regularly evaluated by the users and that their remarks are implemented. Also, measures are occasionally taken to relocate staff from the departments in order to prevent problems and ensure more efficient operation. During the admission of patients in the clinic, an examination is performed with observation and description of all injuries. According to the director, physical fights between patients in the hospital are very rare.

From the conversations with a large number of patients placed in the Psychiatric Hospital, the NPM team concludes that they are generally satisfied with the medical staff. However, there were also patients who complained about the verbal relationship in everyday communication, emphasizing that they happen to be insulted by employees who often behaved arrogantly, strictly and commandingly when issuing orders (as they themselves pointed out). Of particular concern are the claims of some patients about the use of physical force by some paramedics. In this regard, the NPM team received information and complaints from several patients about the behaviour of one of the paramedics who used physical force (slapped them and hit them on other parts of the body) in cases when patients refused to take the prescribed therapy, as well as due to non-fulfilment of the orders issued by him.

The NPM team strongly condemns this manner of treatment of patients and demands immediate action to investigate the behaviour of nurses/paramedics and the possible use of physical force in a psychiatric hospital. Namely, the NPM team requires managers to take measures to inform patients about their right to complain about the behaviour of employees and to encourage them to report any case of misconduct for conducting appropriate proceedings and determining possible liability.

The NPM team notes that access to the complaints mechanism is still difficult for patients, especially for those who have been given a safety measure and who have limited freedom of movement within the hospital. In this regard, during the visit it was noted that the recommendation boxes for complaints and appeals to be placed in all special departments within the Institution, in places that are easily and permanently available to patients and that are outside constant and direct view of officials and medical staff.

Regarding the fixation, the NPM team concluded that the recommendation for adjusting the fixation rooms that will be properly equipped for that purpose and that will provide safe and uninterrupted physical restriction to patients who need it has not been acted upon. Namely, from the inspection in the fixation room in the acute department, it was concluded that it is equipped with three beds that are not fixed to the floor, and also that full access around the beds is disabled, because on the one side they are pushed to the wall.

From the inspection of the records of performed fixations and from the conversations with the patients on whom physical fixation was used, the NPM team concludes inconsistencies regarding the information about the fixations, that is, the information recorded in

the log for fixations is not confirmed by the patients' statements. Namely, **the NPM team states that in the psychiatric hospital Negorci, the fixation is performed with sheets and often lasts longer than the prescribed time for physical fixation of two hours.**

Regarding the deaths of patients in the hospital during their hospitalization, the NPM team received information that in 2018 eight people died, and during 2019 until the day of the visit, two people died. All people die of natural causes as a result of chronic diseases of the cardiovascular system, myocardial infarction or as a result of cerebral haemorrhage. Deaths, as well as other professional issues are being considered at the staff meeting, but there is no record - there are no records of the intended medical staff meeting. No forensic autopsy has been performed in any of the cases of death.

Examination of the death recording notebook, which is being duly completed, as well as the Medical Report on the Cause of Death, states that some people have been diagnosed with states of death, not the exact diagnosis that led to the death. It is obvious that this mistake is made due to the failure to perform an autopsy on the deceased, and consequently a lack of information about the causes of death.

In this regard, and taking into account the provisions of the Law on Health Care, **the NPM team points to the need to perform autopsy in patients with fatal outcomes in the hospital, pathological autopsy if it is chronic illness or forensic autopsy, in the case of suspected death or death due to suspicion of a medical error.**

Review no.38

Overview of recommendations given to PHI Psychiatric Hospital Negorci	
Recommendations	Response upon recommendation
Urgently take measures to investigate the behaviour of paramedics and the possible use of physical force in a psychiatric hospital, as well as to take measures to inform patients of their right to complain about employee behaviour and to encourage them to report any misconduct, for the purpose of conducting an appropriate procedure and determining possible responsibility;	A joint meeting was held with the employed paramedics, especially with those for whom the complaints were addressed, and each objection to their behaviour was indicated at the meeting. Attached is the minutes of the meeting with the paramedics;
Complaints and appeals boxes should be placed in all special units within the Institution, in places that are easily and permanently accessible to patients and that are beyond the constant and direct view of officials and medical staff;	A patient complaints mechanism has been provided for all departments/units;

**Overview
of recommendations given to PHI Psychiatric Hospital Negorci**

Recommendations	Response upon recommendation
Urgently stop the practice of long duration of fixations and patients should not be exposed to physical restraint longer than necessary;	In the section on fixation, fixation is a method that is used only in exceptional cases, and the fixation time often lasts shorter than two hours, but sometimes according to the patient's health condition, in exceptional cases it lasts longer;
Urgent adjustment of the fixation rooms that will be properly equipped for that purpose and that will provide safe and uninterrupted physical restraint to the patients who need it;	Fixation rooms are fully standardized with suitable beds, protected walls, one bed per room. These premises are made with a completely reconstructed department for acute conditions, which was put into operation in September 2019.
In a case of death of a patient during his/her hospitalization in the PHI Psychiatric Hospital Negorci, without exception to perform an autopsy, in order to find out the exact cause of death, and to eliminate the suspicion that the death occurred violently, or as a result of a medical error;	A forensic autopsy has not been performed so far because the families of the deceased do not allow it;
Take the necessary measures to employ additional professional staff and medical staff.	In addition, the hospital employs two doctors, a specialist psychiatrist and a general practitioner, three paramedics and three hygienists.

Review no.39

**Overview
of recommendations given to the Ministry of Health**

Recommendations

- Providing funds and immediate adjustment to the fixation rooms that will be properly equipped for that purpose and that will provide safe and uninterrupted physical restraint to the patients who need it;
- Employment of additional professional staff and medical staff.



4.3

PHI PSYCHIATRIC HOSPITAL SKOPJE

4.3.1. General data

According to the annual programme for 2019, the Ombudsman - National Preventive Mechanism on 24 and 25 December 2019 conducted a regular unannounced visit to the PHI Psychiatric Hospital Skopje.

During the preventive visit, the material conditions in the psychiatric hospital were inspected, a conversation was held with the officials and some of the patients, and at the same time it was determined how the persons exercise the rights guaranteed by the Law on Mental Health, the Law on Protection of Patients' Rights and bylaws.

4.3.2. Organizational set-up and employee structure

The Public Health Institution Psychiatric Hospital - Skopje realizes the health activity through 9 departments in which persons with mental and emotional disorders are accommodated. In addition to the inpatient department, there are three departments for daily hospital treatment functioning within the institution.

PHI Psychiatric Hospital - Skopje has an accommodation capacity of 376 beds (stationary part), and on the day of the visit by the NPM team in the institution a total of 371

patients were accommodated, of whom 37 patients were sent at home as a test, which shows that the capacity of the establishment was not completely filled.

The PHI Psychiatric Hospital - Skopje accommodates exclusively adults and they, according to the Law on Mental Health, during their stay in the health institution, in addition to the general rights regulated by the Law on Protection of Patients' Rights have special rights and obligations.

From the conversations with the responsible officials, the NPM team received information that the total number of employees in PHI Psychiatric Hospital - Skopje is 336 people, of whom 38 are specialist doctors, 2 doctors undergo specialization, 1 dentist, 2 pharmacists, 29 associates (psychologists, biologists and social workers), 9 nurses with university education, 1 nurse with college education, 1 occupational therapist, 110 nurses and technicians with secondary vocational training, 36 paramedics, 4 laboratory technicians, 2 pharmaceutical technicians, 1 dental assistant, 1 caregiver and 99 employees belonging to the administrative and auxiliary technical staff. According to gender, 227 of the total number of employees in the institution are female and 109 are male. In terms of nationality, 219 are Macedonians, 91 Albanians, 3 Turks, 10 Serbs, 5 Bosniaks, 5 Roma, 1 Bulgarian, 1 Vlach and 1 Russian.

In this regard, it was noted that, given the number of patients, as well as the specific working conditions in the institution, the current number of employees is not sufficient for smooth and efficient performance of the function that should be performed by an institution of this type, due to which employment of additional staff is necessary. In addition, the shortage of medical staff in the afternoon and evening is especially pronounced when it happens that 1 nurse and 1 paramedic are responsible for the entire unit, which can include over 50 patients. Meanwhile, during the night hours, healthcare for all patients in the Institution is provided by only two doctors on duty.

"The protection of people with mental illness is based on providing the best care, treatment and rehabilitation in accordance with current developments in the field and within the available means, appropriate to the individual needs of the person, in the absence of any mental and physical abuse, with full respect for the dignity of the person and in his/her best interests. "

Therefore, the NPM team concludes that the lack of medical staff directly affects the treatment of patients and is a real risk factor for possible cases of inappropriate treatment of them and violation of their legally guaranteed rights.

The NPM team was informed that, in the event of death in the institution, the family of the deceased is ex officio informed, but an autopsy in cases of death is not practiced, except in cases where there is a suspicion of the cause of death. In the PHI Psychiatric Hospital - Skopje during 2018 there were a total of 35 deaths, and not a single autopsy was performed, while in 2019, until the day of the visit, there were a total of 25 deaths.

The director of the Institution informed the NPM team that the **units do not have boxes for complaints and appeals (from the inspection the NPM team concluded that only part of the units have boxes for complaints and appeals).**

In this regard, the NPM team recommends placing boxes of complaints and appeals

in all special units within the Institution, in places that will be easily and permanently available to patients and that are beyond the constant and direct view of officials and medical staff.

4.3.3. Description of the conditions for staying in the institution

Unit for Prolonged Treatment, Rehabilitation and Resocialization (IV and V Male Unit)

From the inspection performed in the Unit for prolonged treatment, rehabilitation and resocialization (so-called IV and V male unit), the NPM team concluded that the unit accommodates 53 patients over 18 years of age of male gender, who are generally mobile. Patients are mostly with residual symptomatology, with schizophrenia and retardation with implanted psychosis predominating. Some of the patients in this unit are also placed with a court order for accommodation and treatment.

The NPM team believes that patients with intellectual disabilities (mental retardation) should be placed in a separate unit to separate from patients with schizophrenia. It is also necessary to make a special unit for the treatment of patients who have been sent by a court verdict, and to transfer the "judicial" patients from the Unit for Prolonged Treatment, Rehabilitation and Resocialization.

The duration of treatment and healing of patients from the Unit for Prolonged Treatment, Rehabilitation and Resocialization is on average 3 to 6 months, and about 25-30 patients are permanently placed in the institution because they do not have families or they have given up on them, that is, they do not have opportunities for another way of life.

The building in which the Unit for prolonged treatment, rehabilitation and resocialization is located is old and does not meet the basic requirements for quality living and accommodation. All 53 patients are accommodated in a total of 5 rooms. During the survey conducted by the NPM team in the largest premises/room for accommodation of patients, an area of 35 m² was ascertained, and 12 patients were accommodated in it. The square area of the rooms in which the patients are accommodated in this unit is not within the limits of the minimum provided standards for accommodation of persons (4m² in rooms for collective accommodation). The level of measured humidity in the room was within the allowed limit (39.3%), and the temperature during the visit was 17.2 °C, which is slightly below the minimum international standards for residence of persons. The space between the beds is no more than 80 cm, there are no cabinets, nightstands and other parts of the furniture, where the patients would place their personal belongings. Hence, **patients do not have any privacy, their rooms are cramped, because they usually accommodate 10 or 12 people in one room, so they do not have "personal" space at all. Also, due to the lack of cabinets in the rooms, personal belongings**

are kept under the sleeping mattress, so there are often thefts and harassment between the patients themselves (usually for food and cigarettes).

The NPM team recommends reducing the number of patients in accommodation rooms, renovating the unit (renovating the bathroom and toilets), and providing decent and humane conditions for patients in the living rooms (providing cabinets, new beds and mattresses, etc.), in general to improve the hygienic conditions for patients.

“Everyone with a mental illness has the right to a safe and secure environment.” Having in mind the above, the NPM team found a violation of the legally guaranteed rights of patients for a minimum of humane treatment and a safe environment.

The NPM team concludes that, in addition to extremely poor material conditions (cracked and damp walls, unpleasant odour, extremely low level of hygiene), life for patients is also very monotonous.

In this regard, the NPM team recommends immediate improvement of the treatment and stay of patients with planned leisure activities, walks in the yard and outside the hospital, in order to involve them in the community.

From the inspection in the dining room of the unit and from the conversations with the patients, it was concluded that there is enough food, but compared to previous years, it is of much lower quality.

The NPM team also found inadequate conditions in maintaining the personal hygiene of patients. Namely, **the Unit for Prolonged Treatment, Rehabilitation and Resocialization practices collective bathing (usually with 4 to 8 people under 2 showers in the same bathroom), and if personal hygiene should be provided to a patient who needs bathing assistance, after order of the officials, the obligation to provide assistance is given to another patient.** “The personality, dignity and privacy of every person with a mental illness must be respected.” **The NPM team considers such treatment as a direct disrespect for the dignity and privacy of patients and strongly condemns it.**

Furthermore, a person with a mental illness has the right to protection from any form of harassment, humiliation and abuse, but the NPM team was informed that the Unit for Prolonged Treatment, Rehabilitation and Resocialization **also has cases of corporal punishment by part of the staff towards patients who do not follow the rules.**

The NPM team strongly condemns the use of any form of physical force against patients and emphasizes that physical violence is inadmissible, and also recommends immediate cessation of such practice and calls on the responsible persons in the Institution to take strong measures to check and control the relationship and action of medical staff to patients.

In addition, the NPM team recommends rotating its caregivers by departments/units for a certain period of time.

During the visit to the Unit for Prolonged Treatment, Rehabilitation and Resocialization, the files of several patients were inspected, and it was concluded that they were properly kept by doctors and medical staff and they contain all the necessary information.

All the files had a signed statement of voluntary treatment by the patients themselves, which is not very plausible, as most of them are unable to agree and sign such a statement at the time of admission to hospital treatment.

**Unit for Prolonged Treatment, Rehabilitation and Resocialization
(Ill Male Unit)**

During the inspection performed by the NPM team, a bad condition was ascertained, both in terms of the material conditions in the Third Male Unit, and also in terms of the degree of realization of the rights of patients who have been hospitalized for a long time, due to the need for their extended treatment rehabilitation and/or care. The NPM assesses the established situation as a worrying situation.

During the visit to this Unit, the NPM team found a satisfactory condition in terms of hygiene and good maintenance of the premises, most of the mattresses and pillows were tidy, and the beds were well maintained and the blankets were donated by the UN High Commissioner for Refugees (UNHCR).

The living room is in relatively good condition, properly heated and equipped with furniture and TV, and in it the afternoon activities take place according to the established house rules. The toilets are in an unenviable condition, and they spread a bad smell due to the poor level of hygiene and poor ventilation.

During the conversation with several people accommodated in the Unit, the NPM team received complaints about the low level of hygiene in the Unit and the poor quality of food, as well as the amount of meals. The NPM team noted that many patients in this unit have significantly damaged teeth or are toothless, which is a problem when eating meals, and they themselves said that the most common dental intervention is tooth extraction.

Patients confirmed that they take a shower once a week according to a set schedule, and sometimes they are not given a shampoo for bathing. In terms of contacts with the outside world, they are allowed to use the public telephone set on the gate at the entrance to the hospital, and if necessary, they are allowed to use the phone in the nurses' room.

Some of the patients in the Unit for Prolonged Treatment, Rehabilitation and Resocialization have a longer annual stay in the hospital, which could continue their treatment in the Community Mental Health Centres, according to the regional determination, but due to rejection and unacceptance by their families, the lack of support from the community for their housing and the lack of income they are still accommodated in the hospital, which complicates the process of deinstitutionalization.

The NPM team stated that in the Third Male Unit the capacity of the Unit is a total of 24 patients. During the visit, the unit housed 23 patients, in 3 rooms with 8 beds each. From the conversation with the responsible persons, **the NPM team concluded that most of the patients stay in the unit for several years due to non-cooperation of their families with the social worker, as well as with the patients themselves, which imposes the need for supported living and patronage service.**

From the conversations in the Unit, the NPM team concluded that the multidisciplinary team from this Unit consists of: 1 doctor, 1 psychologist, 1 social worker who was not present during the visit due to work engagement of a project by the Ministry of Health, for a period of one year. During his absence, he is replaced by a social worker from another Unit who attends this Unit twice a week (or as needed). Also, part of this Unit are 8 nurses, 6 nurses and 2 hygienists.

From the conversation with the patients, information was obtained that they recognize the work of the social worker and that they are satisfied with it. They listed the following shortcomings:

- rare contacts with the guardian who is an expert from the Centre for Social Work Skopje,
- deficiency of pyjamas, patients sleep in tracksuits,
- non-function of the shower in the bathroom, they take baths in the bathroom in the Centre for Alcoholism,
- lack of wardrobes for clothes,
- insufficient amount of food,
- lack of activities outside the hospital..

Unit of Emergency Psychiatry (II male unit)

The Unit of Emergency Psychiatry is a closed type Unit and is intended for the treatment of anxious and violent people, as well as people with acute mental disorders. At the time of the visit to the Unit, only male persons were accommodated in the facility, while the women's unit for patients of the same category was separated and the patients were accommodated in another facility.

From the inspection in the Unit of Emergency Psychiatry (so-called II male unit), the NPM team concluded that the capacity of the Unit is 40 beds, and at the time of the visit of the Unit 55 patients were registered (all male), of whom 6 were accommodated in the court measure department. The NPM team received information that all patients, except the 6 with a protective court measure, were hospitalized in the Institution on a voluntary basis.

The NPM team received information that the total number of staff in the Unit is 25 employees, of whom 4 are doctors, 8 nurses, 8 paramedics, 1 psychologist, 1 social worker, 1 person washing dishes and 2 hygienists. The shifts in which staff are present in the unit are the same at the Institutional level, and as in other units, also in the Unit of Emergency Psychiatry in the afternoon, only two paramedics take care of the safety of all patients, or one paramedic and one nurse.

The premises of the Unit consist of one intensive care room, six hospital rooms with different number of beds (the number of beds is 6, 7 or 8), one sanitary unit for all patients and one bathroom (with two showers located in the same room), living room (completely empty), dining room and kitchen.

From the overall insight in the Unit of Emergency Psychiatry, NPM notes extremely poor material conditions (the Unit is ruined, it smells bad, there is moisture and damage to the walls, as well as extremely low level of hygiene and visibly long-term non-maintenance thereof, and the sanitary facilities are in a particularly bad condition). Despite the information about the renovation carried out 3 or 4 years ago (renovated floor in the hallway and tiles on part of the walls of the hallway), the living conditions of the unit are extremely bad.

From the inspection of the medical documentation of the patients, the NPM team concludes that the psychiatric histories of the patients are kept and updated in an orderly manner and contain all the necessary elements. The medical records show that the therapeutic doses received by patients are not excessive.

Unit of Acute Psychiatry (I male unit)

From the inspection performed in the Unit for Acute Conditions (so-called male I), the NPM team concluded that the Unit accommodated 22 patients, and at the time of the visit 13 were present and the remaining 9 patients were on probation. This Unit is of a mixed nature, out of a total of 22 patients, 8 are female and 14 patients are male. The NPM team received information that all patients in the Unit are on a voluntary basis and that all have signed an agreement for hospitalization.

The staff of the Unit for Acute Conditions consists of a total of 2 doctors, 7 nurses, 5 nurses, 2 hygienists, 1 social worker and 1 psychologist, who work in shifts and as is the case in other units, as well as in this Unit, during the afternoon the entire Unit is left to the responsibility of one nurse and one paramedic.

The Unit for Acute Conditions has 8 hospital rooms that accommodate patients and one isolation room (where fixations are performed). The eight rooms include two intensive care units (one male and one female, both with four beds). The Unit has two rooms with one bed each, and the other rooms have two or three beds. During the survey in one of the bedrooms where two patients are accommodated, the area of the room of 10 m² was ascertained, which is within the limits of the minimum provided standards for accommodation of persons. At the same time, the accommodation rooms for the patients are equipped with wardrobes for storing personal belongings, relatively new beds and in each of them there is a toilet (WC and shower). **Given that the entire unit was renovated in 2012-2013, the conditions for patients in the Unit for Acute Conditions are better compared to the conditions in the other units in the Institution, but the impression is that hygiene is not being maintained satisfactorily.**

At the very entrance of the unit, the rights of the patients are visibly displayed.

From the inspection of the medical documentation, it was concluded that it is kept in a separate room, and the psychiatric histories are kept and updated in an orderly manner and contain all the necessary data. Examination of psychiatric histories shows that the therapeutic doses received by patients are not excessive.

From the conversations with the patients in the unit, **the NPM team concluded**

that there is dissatisfaction with the food, as well as with the exercise of the right to fresh air during the day. Namely, some of the patients complained that they could not leave the unit at all during the day, because the doors were locked.

Unit for Emergency Psychiatry (II Female Unit)

The Unit for Emergency Psychiatry is a closed unit designed to treat anxious and violent people, as well as people with acute mental disorders, in a state of psychomotor agitation and auto and hetero aggressive actions.

The unit is located in a building that is new construction and already at the very beginning of the visit one got the impression that the material conditions are good, that order has been established and that the hygiene is at a satisfactory level.

During the visit to the Unit, 14 people were found (all female), housed in separate beds and arranged in 5 bedrooms, of which 4 rooms have 3 beds and 1 room with 2 beds. NPM found that this Unit accommodates people in forced and voluntary hospitalization.

The bedrooms were clean and tidy, that is, the hygiene is satisfactory, the heating is functional and all the rooms are warm. The rooms are well decorated with hospital beds, wardrobe and toilet with shower, but what is noticeable is that although the toilets are new, they are not well maintained and there is moisture in them. Furthermore, in the toilets it is noticed that there is no hot water and they have been bathing with cold water for 2 weeks, and that although relatively new, some of the toilets have a problem with the water supply.

Regarding the staff, in the first shift there are 2 nurses and a paramedic, and only one nurse works in the night shift. Patients receive food from the central kitchen in the kitchen of the Unit and consume it in the dining room.

During the visit to this Unit, the NPM team had a conversation with the patients, and they said that they were satisfied with the conditions of the unit and the staff, but that they brought hygiene products from home to maintain the hygiene in the unit. Patients complained of theft by the patients themselves.

The living room allows patients to watch a television programme - during the visit NPM did not find any woman in this room, which was adequately warmed and was very well arranged with flowers and new inventory. During the inspection, the NPM determined that the same room was used as a dining room and as a living room, and this can be seen from the following photos.

The NPM has determined that there is no visible house order in this unit, which should be displayed in a visible place so that patients can be familiar with their rights.

There is no box for complaints and appeals in the Unit, and from the conversation with the patients we were informed that they are not aware of their rights. Video surveillance is installed in the hallway.

**Unit for Prolonged Treatment, Rehabilitation and Resocialization
(Ill Female Unit)**

From the inspection of the Unit, the NPM team concluded that the capacity of the Unit is for a total of 50 patients, while during the visit to this unit 42 patients were accommodated. Namely, most of the patients stay in the unit for several years due to non-cooperation with their families.

The NPM team determined that the Unit has 5 hospital rooms with 9 beds each and 1 room with 8 beds. The rooms were not heated, because during the visit the heating was not turned on, and they did not meet the minimum temperature standards. The level of measured humidity in the room was within the allowed limit (39.3%), **and the temperature during the visit was 17.2 °C, which is slightly below the minimum international standards for residence of persons.**

Upon inspection of the unit for prolonged treatment, rehabilitation and resocialization, the NPM determined that the sleeping rooms were locked, and the patients were in the living room at the time of the visit and were watching television.

Furthermore, **in this unit it was noted that patients do not have special lockers for storing personal items.**

Also, depending on the unit, patients were seen in pyjamas without appropriate footwear or clothing. Some of the patients in the chronic units were found outside in pyjamas and shoes, and some of them were wearing their own clothes.

From the inspection of the unit, the NPM team determined that there is a special smoking room, a separate clothing room, but there are no cabinets in the hospital rooms. During the visit to the hallway it was cold, because there are very few radiators. In terms of hygiene, the NPM team was informed that patients bathe twice a week and do not have pyjamas.

During the visit, the patients were in the dining room, so a group conversation was held with them. From the conversation, **the NPM team noted that everyone needs a conversation and direct contact with professionals, which indicates the need for more professionals.**

Internal unit - for the treatment of patients with somatic disorder

This unit is located between the alcohol unit and the third male unit. Due to the construction works, at the time of the visit these units were spatially and physically located in one building, this unit is separated from the alcoholic unit by a door that remains open during the day, while with the third male unit it is located in the same hallway and patients from these units use the same toilets and bathroom. On the day of the visit, a total of 17 patients were accommodated, of whom 12 were male and 5 female. The total number of staff is 13 employees, of whom 1 doctor, 7 nurses, 2 caregivers, 1 hygienist and 2 persons washing dishes. There were 1 doctor, 6 nurses and 2 paramedics on duty.

In this unit there are two bedrooms (one male and one female room), as well as one

room for intensive care/supervision with an area of 44m² in which 5 beds were placed, and at the moment 3 patients were accommodated. In one of the bedrooms, with an area of 42m², 9 beds were placed and 9 patients were accommodated, and in the other room with an area of 41m², 9 beds were placed, and 5 patients were accommodated, more precisely from almost 4m² per person in rooms for collective accommodation, whereby the NPM team considers that the planned standards in terms of size have been met. **During the inspection of some of the rooms, the NPM team determined that the standards in terms of the predicted temperature (20°C) have been met, and also the air humidity is relatively low (34.8% R.H).**

All beds in the rooms are metal, equipped with neat mattresses, clean bedding and blankets. In the rooms, besides the beds, there were leather and metal cabinets in which they could store their personal belongings. All rooms have large windows that allow ventilation of the space and sufficient flow of daylight. In all rooms there is adequate artificial lighting, and in the rooms heaters (central heating) are properly installed. The hygiene in the rooms, as well as in the whole unit was at an appropriate level, and the hygienist who is employed there takes care of it.

Patients in this unit have constant access to the toilets, which were neither clean nor tidy on the day of the visit. The sanitary unit in the toilets is separated by doors, which ensures privacy when using it. The NPM team from the inspection found a bad condition in the toilets and bathrooms, that is, they are not clean and not tidy. During the visit, the boiler was not functional and there was no hot water, for which the NPM team was informed that the service providers should come on the same day to repair it. **The NPM team believes that the situation in these parts of the unit should be improved, that is, the bathroom and toilets should be renovated and painted, and hygienists should take more care of hygiene, because it is at a very low level, and a bad smell is felt.**

The unit does not have a living room, and they use the same dining room as the other two units where all patients are served food. The unit has special rooms for the doctor, nurses, and caregivers. From the conversation with the patients, we received information that they are satisfied with the attitude and care of the medical team and the other staff.

Regarding the healthcare for the patients from this unit, the NPM team received information that the prescribed therapy is distributed to the patients by the nurse in the rooms, it is checked whether the therapy has been received, the medicines are kept in a locker in the room of the nurses. The doctor decides when the patient can be transferred to another unit. When there is an argument between patients, the staff of the unit always intervenes, and sometimes when it comes to more serious arguments in those cases they seek help from the security that is on duty/placed in front of the main entrance. Fixation is done with sheets, the straps are not in use, because they are torn and no new ones have been purchased, it is done with the permission of a doctor, who determines the fixing time, a fixation list is opened and lists are kept in a folder.

Lack of staff is a serious problem, considering that there is only one nurse in the night shift, for seventeen patients there is only one nurse who feeds them and distributes therapy in the rooms, she also takes care of an intensive room with five beds, which currently accommodates 3 patients. Also a serious

problem is the lack of training for employees, they are employed and start working without any training, taking into account the importance and sensitivity of the work in this hospital.

A serious problem is the inability of these people to access the complaint mechanism, as there are no mailboxes in the unit where they can send their complaints, nor do they have access to the box at the entrance to the administrative building. Also, the NPM team points out as a negative problem, not emphasizing the house rules in a public place so that patients can look at it and read it.

Psychogeriatric Unit

This unit is located in a special building, which is newly built, and which does not have a specially enclosed space intended for walks of patients stationed in this unit. The unit is locked and the windows are closed due to the nature of the disease in people with dementia. On the day of the visit, we found a total of 23 patients in the Psychogeriatric Unit, 8 of whom were men and 15 women. The total number of staff is 20 employees, of whom 2 doctors-specialists, 11 nurses, 5 paramedics - caregivers, 1 social worker, and 1 person in charge of washing the dishes.

This unit consisted of 13 bedrooms, as well as an intensive care/supervision room with an area of 20m² where 4 beds were placed. The other bedrooms, with an area of 16m², have 11 beds in 11 rooms, and in the other 2 bedrooms there is 1 bed, more precisely there are almost 4m² per person in rooms for collective accommodation, whereby the NPM team considers the required standards in terms of size to be met. During the inspection of some of the rooms, **the NPM team determined that the standards in terms of the desired temperature (22 °C) are being met, and also the air humidity is relatively low (35% R.H).**

All beds in the rooms are new, equipped with neat mattresses, clean bedding and blankets. In the rooms, besides the beds, there were also nightstands, and they are also equipped with metal cabinets in which patients can store their personal belongings. All rooms have large windows that allow ventilation of the space and sufficient flow of daylight. The air is clean and without the expected smell from the Geriatrics Unit. In all rooms there is adequate artificial lighting, and in the rooms heaters (central heating) are properly installed. The hygiene in the rooms as well as in the whole unit was at a very good level.

Patients in this unit have constant access to the toilets they have in their bedrooms, which were clean and tidy on the day of the visit. The sanitary unit in the toilets is separated by doors that allow privacy when using it. During the inspection of the bathrooms, it was concluded that they are clean, tidy and provide full respect for privacy when using them. But toilets and bathrooms also need to be renovated and painted, that is, they need to be maintained.

The unit also has a living room, which had a TV set, sitting furniture, tables and

chairs. There is also a dining room where patients from the Psychiatry Unit are served food. There is a new and clean dining room and kitchen with refrigerators where the food brought to patients by their relatives is stored under their name. Control of refrigerators and provision of food to patients is performed by unit staff. There is also a separate room for doctors, nurses, social worker.

The therapy is distributed by the nurse in the rooms, she checks whether the therapy has been received, the medicines are kept in a locker in the room of the nurses. The nurse room has medical records with extensive medical documentation for each patient.

Alcohol addiction treatment unit

At the time of the visit, this unit was spatially and physically located in the same building with the Internal unit and the Third Male Unit. This Unit is separated from the Internal unit by a door that remains open during the day. On the day of the visit to the Unit of Alcoholism, we found 28 patients for treatment. Of these, 26 were men and 2 women.

This Unit employs 3 specialist doctors, 1 psychologist, 1 social worker and 14 nurses-staff. **Only two nurses are actively working in the unit in the afternoon. This is insufficient objectively speaking, knowing the needs of people with alcoholism, especially those who go through a phase of alcoholic delirium that is very complex and life-threatening and requires special attention from medical staff. Therefore, the small number of staff in the second shift of the unit can be considered a violation of the human right to quality treatment.**

In this unit there are a total of 7 bedrooms (6 male and one female room), as well as one room for intensive care/supervision with an area of 18m² where 3 beds were placed. In one of the bedrooms - women's room, with an area of 22m², 4 beds were placed and 2 patients were accommodated, and all the other rooms have an area of 42m² where 8 beds are placed, and 5 patients were accommodated, more precisely from almost 4m² per person in rooms for collective accommodation, so that the NPM team considers that the desired standards in terms of size have been met. **During the inspection of some of the rooms, the NPM team determined that the standards in terms of the desired temperature (20 °C) have been met, and also the air humidity is relatively low (40.8% R.H).**

All beds in the rooms are new, equipped with neat mattresses, clean bedding and blankets. In addition to the beds, there were nightstands and metal cabinets in the rooms where patients could store their personal belongings. All rooms have large windows that allow ventilation of the space and sufficient flow of daylight. **In all rooms there is adequate artificial lighting, and in the rooms heaters (central heating) are properly installed. The windows were very dirty and broken in many rooms. The hygiene in the rooms, as well as in the whole unit was at an appropriate level, and the patients who are accommodated there take care of it.**

The unit also has a living room, which had a TV set, a sitting set, coffee tables and chairs. They use the same dining room with patients from the other two units where all patients are served food. There is also a separate room for doctors, nurses, social workers

and psychologist.

Patients in this unit have constant access to the toilets, which on the day of the visit were not clean, not tidy and not equipped with personal hygiene items (soap, toilet paper, etc.). Patients themselves take care of toilet hygiene. The sanitary unit in the toilets is separated by doors that allow privacy when using it. **The NPM team during the inspection of the baths concluded that they are not maintained properly and the hygiene is low, and on the other hand do not allow full respect for privacy when using them because all toilets do not have doors. Toilets and bathrooms need to be renovated and painted. Also, the hygienist should take care of the hygiene, not the patients, because the hygiene is at a very low level, and there is a bad smell.**

In a conversation with the staff, the NPM team received information that the therapy is being shared by the nurse in the rooms, the treatment is being checked, the medicines are kept in a locker in the room of the nurses, and there is no problem for medicines, their quantity is enough. When there is an argument between patients or when a patient is upset, the unit staff always intervenes, and in cases where there are more serious arguments, they seek help from the security that is placed at the main entrance. In cases where there are quarrels between patients, they take them to the second male unit. There are no restrictions on visits between patients and families, they can visit them whenever they want. They are entitled to a weekend, they are released every 3 weeks if they are calm and have not caused any problems, and for patients who have been brought with court decisions for them they need to seek permission from the court to be able to release them at the weekend.

Patients accommodated in this unit can freely leave the facility in which they are accommodated, and for walks they use the fenced yard of the PHI Psychiatric Hospital "Skopje", the main door is open until 22:00. From the conversation with the patients we received information that they are very satisfied with the whole staff, but they complained about the food regarding the quality and quantity, and they also complain about the hygiene in the dining room, the furniture, the floor and the cutlery. The hygiene of the food utensils is taken care of by some patients hired for washing the dishes, and he said that the toilets are old, ruined and dirty, and they do not have the means to maintain the hygiene and to clean them. Patients themselves are not motivated and focused on maintaining hygiene in the space. Also, patients have told us that whoever wants can go to the gym, occupational therapy is not required.

The team of the National Preventive Mechanism as a positive feature emphasizes the public display of the house rules, also as a positive feature notes the possibility of access of these persons to the procedure/mechanism for complaints, given that there is a box in the unit where they could make their complaints and praise/appeals.

During the visit to this unit, **together with the NPM team, there was an external associate, who gives the following opinion and recommendation:**

- **Problem of group interference - Although democracy involves the inclusion and equal treatment of all, in this case where the main driver of alcoholism treatment is strong motivation, the two groups can act**

on each other in a motivating and demotivating manner. The first group that is voluntarily treated and therefore takes personal responsibility for their treatment is more motivated and can act on the second group in a motivating manner, while the second group, which did not take personal responsibility but the treatment is imposed is more unmotivated and negatively affects the first group. According to the statements of the employed staff, it seems demotivating to the second group.

- **Problem with the second group length of treatment** - Rehabilitation that lasts so long should be filled with different content to be useful, otherwise it causes damage to the patient's psycho-physical health. This is because such long-term treatment, on the one hand, and, if indeed, psychotherapeutic approach, can make profound changes in a person's personality and lead to healing and rehabilitation. On the other hand, time spent in "punishment" without provocative content would further damage the person.
- **Need for a different approach to the two groups** - These two groups of patients, although with the same problem, need a different approach to working with them.
- **Existence of a third group of patients in the unit - in addition to these two groups of patients in the unit there are also patients with mental disorders, for whom there was no place in another unit and one person for treatment of drug addiction.**

Patients reported that in interpersonal relationships and in functioning as a group, they had the most problems with people who were not treated for alcoholism, and were (live) in their unit.

The external associate hired by the NPM team stressed that alcoholism treatment in itself is a very difficult process that the individual goes through and therefore the related group, where they will identify and connect with other positive examples, where they will see that the problem is not only theirs (universality) will receive support from others and will be supportive of them, all this is more difficult to achieve in an unrelated group.

On the other hand, there is a very well-developed treatment programme, and the extent to which it is implemented in practice in the institution itself is debatable by looking at the agenda of activities during the first shift. In the second shift, there is no staff to carry out activities.

The rehabilitation programme for voluntary treatment patients continues outside the institution in group meetings at Dare Dzambaz. This is done very successfully, which is generally known from other sources.

Unit for treatment of convicted persons with mental disorders (Judicial Unit)

The court unit is located in a separate building, within which there is no specially enclosed space intended for walks of patients stationed in this unit. On the day of the visit, a total of 36 people, all male patients, were accommodated in this unit. The total number of staff is 17 employees, of whom 2 doctors, 6 nurses, 6 paramedics-caregivers, 1 social worker, 1 psychologist and 1 hygienist. On the day of the visit to the unit, there was a unit nurse, 1 specialist doctor-head of the unit, 1 specialist doctor, 1 medical technician, 1 paramedic.

Within this unit there are four bedrooms (all of them were men's bedrooms), as well as a room for intensive care/supervision with an area of 19m², in which 3 beds were placed. In one of the bedrooms, with an area of 63m², 12 beds were placed, and the other 3 bedrooms are with an area of 38m² where 7 or 8 beds are placed, more precisely from almost 4m² per person in rooms for collective accommodation, so the team of the NPM considers that the envisaged standards in terms of size have been met. **During the inspection of some of the rooms, the NPM team determined that the standards in terms of the desired temperature (20 °C) are being met, and also the humidity is relatively low (46.2% R.H).**

All beds in the rooms are metal, equipped with neat mattresses, clean bedding and blankets. In the rooms, besides the beds, there were also night-stands, and they are not equipped with metal cabinets in which they can store their personal belongings. All rooms have large windows that allow ventilation of the space and sufficient flow of daylight. In all rooms there is adequate artificial-additional lighting, and in the rooms radiators (central heating) are properly installed. The hygiene in the rooms, as well as in the whole unit, was at an appropriate level, and the hygienist who is employed there takes care of it.

Patients accommodated in this unit have constant access to the toilets, which were clean and tidy on the day of the visit. The sanitary unit in the toilets is separated by doors, which provides privacy when using it. During the inspection of the bathrooms, it was concluded that they are clean, tidy and provide full respect for privacy when using them. But toilets and bathrooms also need to be renovated and painted, that is, to be maintained in a solid condition.

The unit also has a living room, which had a TV set, sitting furniture, tables and chairs. There is also a dining room where food is served to patients in the court unit. However, in these 2 rooms the windows were in a very bad condition and broken. There is also a separate room for medical and professional staff.

There are often incidents among patients, and sometimes there are attacks by patients against the staff. In these cases, when the staff cannot separate patients, assistance is also sought from the security guard who is on duty/placed in front of the main entrance. All of these cases are recorded in the unit report and in the patient's medical history. Fixation is performed very rarely, and it is done with the permission of a doctor, who determines the time of fixation, opens a list for fixation and keeps it in folder lists.

A serious problem is the inability of these people to access the complaint procedure/mechanism, as there are no boxes in the unit where they can send their complaints and appeals, nor do they have access to the box that is located at the entrance of the administrative building. The NPM team also points out the negative problem of not displaying the house rules in a public place so that patients can look at it and read it.

Also a serious problem for these people is the inability to access hospital staff at night, due to the small number of staff who are not always present in the building. Another serious problem is the lack of training for employees. Namely, we received information that they are employed and start working without any training, despite the importance and specificity of the work. We have received information from the head of the unit that he is trying to improvise staff training, but we still assume that they are not complete, comprehensive and implemented by a professional mentor.

Unit for Psychiatric Rehabilitation and Resocialization (Hostel)

During the inspection of the accommodation conditions, NPM determined that they meet the standards, more precisely the persons are accommodated on average 2-3 people in a room, the rooms are completely renovated and adapted to the needs of the patients, there is adequate daylight flow and the temperature is at satisfactory level. Only the humidity in the rooms was increased. All rooms are properly equipped with cabinets for storing personal belongings, as well as a coffee table and chairs. Hygiene was satisfactory.

During the visit the total number of patients was 15 (8 men and 7 women), who were divided into 3 men's and 2 women's bedrooms. From the inspection in the unit, the NPM team concluded that the patients are divided into 5 rooms: in the first room there are 4 beds, in the second room there are 2 beds, in the third room there are 3 beds, in the fourth room there are 3 beds and in the fifth room there are 3 beds.

NPM found a state of staffing from a multidisciplinary team consisting of: 1 doctor, 1 social worker (who are also engaged in the Hostel and in the unit for extended treatment, rehabilitation and resocialization - Third Female Unit) and 3 nurses. The NPM determined that the unit has not had a psychologist for a year. **The NPM team concludes that this category of people need conversations with psychologists, because as part of group conversations, conversations with a psychologist are necessary. There is no group therapy in the Unit, there are no activities outside the hospital.**

The external associate had the opportunity to get acquainted with the work of the social worker in this Unit, where the NPM team was informed that this category of patients deals individually with patients and at the same time with their families. NPM found that group therapy was not performed in this Unit.

From the inspection of the Unit, **the NPM team concluded that there is no hygienist, the patients themselves are responsible for the hygiene of the Unit, they prepare food themselves, once a week three patients together with a**

nurse go to purchase the necessary groceries. Having in mind the above, NPM stated that the persons have a small tea kitchen in which they prepare food on their own, and a list of persons (daily schedule) for their employment in the kitchen and maintaining hygiene was appropriately highlighted. Each of these people is involved in occupational therapy through a series of different activities in the period from 11-12 o'clock.

However, such accommodation in the hostel is a privilege because it is charged in the amount of 2000.00 denars, funds that are used as a joint fund for the maintenance of the hostel and the purchase of food. Although there are patients who are in good stable condition, still, if they do not have adequate financial support and cannot meet their financial obligations, they will not be accommodated in the hostel.

This practice, on the one hand, takes into account the long-term stability, sustainability of the programme and the independence of persons after their dismissal, who only if they have their own income and/or property (home) will be able to successfully fit into the environment outside the hospital. On the other hand, this practice creates an unequal position between patients who are in the same or similar condition (people with chronic mental disorders in a stable condition) and who show progress in treatment, but only due to the impossibility of financial participation they do not have access to this new model in the treatment of persons, which obviously gives results and enables their successful resocialization and preparation for reintegration into the external environment. At the same time, Article 9 of the Law on Mental Health stipulates that every person with a mental illness has the right to care, treatment and rehabilitation, in accordance with his individual needs and abilities, in order to enable him to join the community.

Unit for Occupational Therapy with Horticulture and Economics

The Unit for Occupational Therapy with Horticulture and Economics employs 10 people, including a specialist psychiatrist, special educator, pedagogue, sports therapist, art pedagogue, occupational therapist, wallpaper specialist and hygienist. **In this regard, the NPM team believes that the Unit of Occupational Therapy should employ (or retrain) more physiotherapists, special educators and social workers, in order to provide more intensive treatment in the field of rehabilitation and socialization of patients. In that regard, it is necessary to equip several rooms for working with special educators, in order to enable all users with intellectual disabilities to work with a special educator according to the already established programmes and work plans.**

About 300 patients visit the unit each year, but their treatment is not organized. Instead of bringing patients from other units in an organized manner, according to a previously made plan and work programme, patients come to occupational therapy on their own initiative and usually from 9 to 11 o'clock in the morning.

Hence, **the NPM team concludes that there is a lack of organized cooperation of the other hospital units with the occupational therapy unit. However, the Unit for Occupational Therapy neither has individual plans for working and occupational therapy, nor evaluation of the achieved results.**

In this regard, the NPM team recommends strong cooperation of all units in the Institution with the Unit for Occupational Therapy and preparation of programmes and individual plans for working and occupational therapy with patients.

From the inspection and the conversations with the officials, the NPM team was informed that the funds for work in this unit (sewing and upholstery machines, educational materials, sports equipment, etc.) are obsolete and are mostly dysfunctional. The rooms where the occupational therapy takes place are also old, inadequately equipped, there is a lack of work materials. **The NPM team was informed that the Unit has been completely neglected in recent years and is not given due importance.** Also, the land owned by PHI Psychiatric Hospital - Skopje is completely unused, and the patients are not involved in horticultural activity either.

From the inspection of the Occupational Therapy Unit, the NPM team concluded that it is dysfunctional and does not provide quality working therapy and occupational therapy for patients, which certainly has an impact on their treatment, rehabilitation and overall psycho-social support.

In this regard, the NPM team emphasizes that, in order for the Institution to carry out the rehabilitation activity, it is necessary to completely renovate and equip the Occupational Therapy Unit, in order for most patients to be involved in working and occupational therapy with exercises conducted to improve their skills, movements, and training patients for certain work activities. In doing so, it recommends putting into operation both occupational therapy with land cultivation and horticultural activities.

Kitchen and laundry

The kitchen is located in a separate part in one of the facilities of the Institution, and it was clean and tidy on the day of the visit. The kitchen appliances were functional and the cutlery was properly stored. **From the conversations with the officials and the patients, it was concluded that the patients from all units and departments consume the food exclusively in the dining room that they have in their unit. The NPM team also noted that the monthly list of dishes approved by the chief nurse of the hospital, responsible for the kitchen unit and the director of the institution, was put in a visible place in the kitchen.**

The hospital laundry is located in another building that has two rooms and in which the dirty clothes are received, it is washed, dried in drying machines and after the procedure it is postponed in canvas bags taken by the paramedic, the laundry works only first shift from 07:00 to 13:00. Covers and clothes of patients are washed, employees work

with gloves and a mask, clothes and space are disinfected, hygiene is maintained only on Mondays - Wednesdays - Fridays, and cleaning service comes on Tuesdays and Thursdays. They have enough detergent and disinfectant.

Pharmacy

The pharmacy has three employees, one pharmacist and two pharmaceutical technicians. There are enough medicines in the pharmacy, they have a pharmacy book with proper documentation, the pharmacy is clean and tidy. The procurement of medicines is done on a monthly basis, there is not enough space for storing more medicines. The purchase of medicines for all dispensaries is done from here and is delivered by vehicle or they come from the dispensaries and pick it up.

4.3.4. Application of means of physical restraint - fixation

In the PHI Psychiatric Hospital Skopje there is a written Protocol on the use of means of physical restraint ("fixation"), which sets out the principles for the application of such a method, as well as the permitted ways of fixing patients. The Institution also maintains a log for fixation in which cases of physical restriction are recorded - fixation of patients.

The NPM team inspected the logs in which the data on the performed "fixations" of several of the units where the physical restriction is practiced are recorded. Obviously from the inspection, the records of the conducted "fixations" are kept extremely messy, in an unclear and illegible manner, and most often missing important data regarding the time of completion of the "fixation". However, in cases where both the start time and the end time of the physical restriction are listed, very often the duration of the "fixation" exceeds the acceptable duration for it.

The NPM team emphasizes that, although the Fixation Protocol does not specify the maximum duration of "fixations", the acceptable duration of the patient's physical restraint measure is no more than 2 hours continuously, as this is the time required for the given therapy to work, and this is the policy that most hospitals have adopted in order to protect patients' rights.

In this regard, the NPM team recommends consistent keeping of the logs for recording physical restraint, as well as limiting the duration of the "fixations" to a maximum of 2 hours continuously.

Thereby, from the inspection it was concluded that the premises and equipment with which the "fixations" are performed are inappropriate (multiple beds in one room for physical limitation, unreinforced floor beds, no soft linings on the walls for protection, inappropriate and old, torn belts which may cause injury to patients).

In view of the above, the NPM team recommends most urgent adjustment of “fixation” rooms that will be properly equipped for that purpose and that will provide safe physical restraint to patients who need it, as well as constant monitoring by medical staff in the entire duration of the physical restriction.

4.3.5. Degree of exercise of rights

The right to respect for the person, the dignity and privacy of persons with mental illness, the right to protection from all forms of harassment, humiliation and abuse, the right to a humane and safe environment, are only part of the general rights of persons with mental illness regulated by the Law on Mental Health.

In addition to the general, the same law regulates the special rights of persons with mental illness, during their stay in health facilities.

Right to information

The right to information of patients placed in psychiatric institutions is an opportunity for the patient in all phases of healthcare, to be fully informed about his health, the course of the procedure when indicating healthcare, the possibility of deciding on the recommended medical interventions, the recommended way of life, for the rights from the healthcare and health insurance, for the procedure for exercising those rights, etc.

From the conversations with the patients in the Institution, as well as from the inspection in the different departments, the NPM team concluded that some of the patients are aware of the therapy they are receiving, but they still lack real information about their rights, listed in the House Rules and guaranteed by the Law on Mental Health.

In this regard, **the NPM team recommends displaying the House Rules and the rights guaranteed by the Law on Mental Health in several visible and easily accessible places throughout the Institution, but also more active communication between officials and patients, in order to inform them about basic legal rights.**

Right to work engagement and free time animation (following radio and television programmes)

The right of patients to be engaged with certain activities implies work engagement in accordance with their abilities.

Occupational and working therapy are part of the therapy that affects the encouragement and activation of patients, in order to animate their time and encourage their resocialization.

The NPM team found that in some of the departments of the PHI Psychiatric Hospital - Skopje there is a living room, which is equipped with TV sets and in which patients are allowed to stay during the day and watch TV. But in addition to watching television, for many patients there is no other recreational occupation at all, which means that life for patients in the Institution is very monotonous.

Also of particular concern is the situation with the Occupational Therapy Department. This department is non-functional and does not provide quality occupational therapy and occupational therapy for patients, which of course has an impact on their treatment, rehabilitation and overall psycho-social support. The NPM team emphasizes that it is necessary to equip the Occupational Therapy Department, in order for most patients to be involved in working and occupational therapy, and it is also necessary to put into operation both occupational therapy with land cultivation and horticultural activities.

Patients in the hospital do not have a structured day, do not have daily activities, and are not motivated to participate in work occupations. Patient activation and hospital time animation is the most important tool in the fight against hospitalization. For these reasons, the NPM team recommends that conditions be created for the realization of more and more creative activities for patients, as well as active work on encouraging their desire for physical, mental and creative activity.

Right to contact the outside world (phone, visits, shipments)

According to information received by the NPM team, patients had no complaints about the use of the right to contact their family, personally or by phone, as well as to receive shipments. There are usually telephones in the nurse home or in the unit social worker room, where patients are allowed to contact their family outside the facility.

With regard to the receipt of consignments, the receipt is usually made through the social worker of the department, for which there is an appropriate record for receipt of shipments.

The right to own personal use items

From the inspection of the accommodation premises, NPM determined that in certain departments of the Institution, the patients face inhumane living conditions. Namely, **in some departments in the rooms there are no cabinets at all for storing personal items, so patients are forced to keep items for personal use under the sleeping mattresses. This increases the risk of theft, which in turn directly affects the safety of patients in the Institution.**

Right to food

The NPM team was informed that the food in the Institution is not satisfactory either in terms of quality or quantity, and many patients complained about the lack of vegetables and fruits in the daily diet.

In this regard, the NPM team recommends that more and better food be procured, that a diet menu be developed, in accordance with the specific needs of patients, with prior consultation with a relevant professional, in order to provide a meal for patients with the required nutritional value.

4.3.6. Overview of given recommendations

Until the preparation of the report from the Ministry of Health, no feedback was received, therefore the following is an overview of the given recommendations and received responses from the PHI Psychiatric Hospital Skopje and only given recommendations to the Ministry of Health.

Review no.40

Overview on recommendations given to PHI Psychiatric Hospital Skopje	
Recommendations	Response upon recommendation
Urgent employment of additional professional staff and medical staff;	In the period after the visit of the Ombudsman, in February, new employments of health workers were realized for an indefinite period of time. Two doctors have been hired, including a psychiatrist and two nurses, to alleviate the shortage of health workers in the institution. However, it is necessary to establish a mechanism for continuous supplementation with experts in response to the process of continuous outflow of staff on various grounds;

Overview on recommendations given to PHI Psychiatric Hospital Skopje	
Recommendations	Response upon recommendation
<p>Patients who are required to sign a consent to be placed in a psychiatric institution should be clearly informed of what that consent represents, as well as the reasons for the need to sign the consent;</p>	<p>The efforts of health professionals are to explain the reason for hospitalization. Unfortunately, due to the nature of the disease, most hospitalizations are forced and patients are admitted to hospital for treatment, in a mental state when they cannot reason and sign an informed Consent for voluntary treatment. They come to the hospital accompanied by family members or other close people, and are often taken to hospital by ambulance and accompanied by police. In such cases, the procedures for compulsory hospitalization provided by law are carried out, when the consent of the competent court for extension of the hospitalization is required. Informing patients about the nature of the disease, the purpose of treatment and the expected results of treatment are a mandatory part of the individual therapeutic approach and takes place throughout the hospital treatment, all patients who are able to judge, are informed about the nature of their disease. about the type of medication they are taking and the importance of regular therapy;</p>
<p>The NPM team strongly condemns the use of any form of physical force against patients and emphasizes that physical violence is inadmissible, and also recommends an immediate end to this practice and calls on the responsible persons in the Institution to take strong measures to check and control the relationship and action of medical staff to patients;</p>	<p>The use of force on patients is by no means a practice in the Hospital. Our experience shows that healthcare professionals understand their professional mission and behave accordingly, and individual attempts to use force are prevented among colleagues;</p>

Overview
on recommendations given to PHI Psychiatric Hospital Skopje

Recommendations	Response upon recommendation
<p>Immediate termination of the practice of collective bathing of patients and intensified supervision of the consistency of the performance of the work duties of the paramedics;</p>	<p>Following your recommendations, a meeting was held with the staff of the Department where the patients complained of corporal punishment. Employees did not say they used force or witnessed such an unfortunate event. All employees are required to increase their vigilance and if they notice such an event, to report it immediately;</p>
<p>Urgent renovation of the parts of the Institution that are old and unmaintained, stronger maintenance of hygiene in the whole Institution, as well as proper equipping of the "living" rooms of the patients, in order to provide a minimum humane stay;</p>	<p>A meeting was held with the head nurses of the units at which the units were asked to provide individual bathing for the patients. It is also instructed that in the units where there is a sufficient number of male staff, the bathing of patients in need of assistance should be provided exclusively by employees of the same gender. At the meeting, it was requested to increase the hygienic procedures of the departments but also of the environment, in the circle of the departments;</p>
<p>To provide conditions in the hospital for realization of more and more creative activities for the patients, as well as to actively work on encouraging their desire for physical, mental and creative activity, because the activation of patients and animation of their time is the most important tool in the fight against hospitalization;</p>	<p>Employees in the Occupational Therapy Department are asked to plan an annual activity plan with suggestions for increasing the type of activities. In cooperation with the heads of the other Departments, it will be modelled, for each month individually. We expect that by the beginning of next month, the occupational therapy department will function with a larger number and type of activities, according to a monthly plan in line with the needs of patients from all departments in the Hospital.</p> <p>Unfortunately, the renovation of the premises of this department with their own budget funds is not planned in the financial plan for this year, where priority is given to other construction and reconstruction works. The possibility of implementing smaller-scale procurement (procurement of new gym devices, etc.) will be considered, depending on the specification for the needs that will be submitted by the Department of Occupational Therapy. (The response is for recommendations 6,7,8);</p>

Overview on recommendations given to PHI Psychiatric Hospital Skopje	
Recommendations	Response upon recommendation
Strong cooperation of all departments in the Institution with the Department for occupational therapy and implementation of a monthly plan and programme for working and occupational therapy with patients;	
Complete renovation and equipping of the Department of Occupational Therapy with horticulture and economics, in order for most patients to engage in working therapy and occupational therapy that will be accompanied by performed exercises to improve abilities, movements, as well as training patients for certain work activities. In addition, putting into operation the occupational therapy with land cultivation and horticultural activities;	
Immediately stop the practice of long-term fixations and patients should not be exposed to physical restraint longer than necessary, and at the same time provide constant monitoring for each patient during the physical restraint;	The departments where the fixation is carried out were controlled, and the Fixing Books were inspected. Recommendations for consistent adherence to the procedure regarding the duration of the fixation and the supervision of its implementation are repeated, as well as the recommendation in the absence of a single room for that purpose, when performing fixation to remove other patients from the room. (Response to recommendations 9,10);
Urgent adjustment of the fixation rooms that will be properly equipped for that purpose and that will provide safe and uninterrupted physical restraint for patients who need it;	

Overview
on recommendations given to PHI Psychiatric Hospital Skopje

Recommendations	Response upon recommendation
Complaints and appeals boxes should be placed in all special units within the Institution, in places that are easily and permanently accessible to patients and that are beyond the constant and direct view of officials and medical staff;	The units where it has been established that there are no complaints boxes have been provided with new boxes;
Displaying the House Rules and the rights guaranteed by the Law on Mental Health in several visible and easily accessible places throughout the Institution, but also more active communication between officials and patients, in order to inform them about the basic legal rights,	An order has been issued in a visible place in each Department to emphasize the House Rules of the Hospital and an excerpt from the Law on Protection of the Rights of Mental Health Patients (Response to recommendations 11, 12).
To procure more and better foodstuffs, to develop a diet menu, according to the specific needs of patients, with prior consultation with a relevant professional, in order to provide a meal for patients with the required nutritional value;	Patient food is prepared in a central hospital kitchen, according to a pre-prepared menu, according to nutritional standards. Also, for patients with specific nutritional needs due to health conditions (diabetes), special, appropriate meals are prepared. The head of the hospital kitchen is a person with higher education in the field of catering, with knowledge of nutritional values and quality of nutrition. The procurement of foodstuffs for food is carried out according to a previously adopted Public Procurement Plan, and our efforts are to ensure diversity and maximum quality of food in accordance with the means at our disposal;

Review no.41

**Overview
of recommendations given to the Ministry of Health**

Recommendations

Urgent employment of additional professional staff and medical staff.

Providing funds and urgent renovation of the parts of the Institution that are old and unmaintained, stronger maintenance of hygiene in the whole Institution, as well as appropriate equipping of the living quarters of the patients, in order to provide a minimum humane stay.

Providing funds and complete renovation and equipping of the Department of Occupational Therapy with horticulture and economics, in order for most patients to engage in working and occupational therapy with which exercises will be conducted to improve abilities, movements, and training of patients for certain work activities. In addition, putting into operation the occupational therapy with land cultivation and horticultural activities.

Provision of funds and immediate adjustment of the fixation rooms that will be properly equipped for that purpose and that will provide safe and uninterrupted physical restraint for patients who need it.

GENERAL RECOMMENDATIONS FOR THE VISITED PSYCHIATRIC HOSPITALS IN 2019

1. To enable continuous education of medium medical and non-medical staff, because they are mostly in contact with patients who are treated in hospital conditions, and do not have prior medical education.
2. To establish closer coordination between the occupational therapy department and other hospital departments in order to motivate patients for greater involvement in occupational therapy, as well as to make efforts to motivate patients in the direction of decorating (beautifying) accommodation rooms, which would be an additional visual stimulus to rehabilitate individuals.
3. Improving the material conditions and states in order to meet the desired standards: renovation of old buildings, improvement of the condition and hygiene with toilets and bathrooms and adapting them to this category of persons, providing new sleeping beds for each patient.
4. Providing funds and immediate adjustment of the fixation rooms that will be properly equipped for that purpose and that will provide safe and uninterrupted physical restraint for patients who need it.
5. Urgently stop the practice of long duration of fixations and patients should not be exposed to physical restraint longer than necessary.
6. In case of death of a patient during his hospitalization in psychiatric hospitals, without exception, an autopsy should be performed in order to find out the exact cause of death, and to eliminate the suspicion that the death occurred violently or as a result of a medical error.
7. To take the necessary measures for employment of additional professional staff and medical staff.
8. Providing funds and complete renovation and equipping of the Department of Occupational Therapy with horticulture and economics, in order for most patients to engage in working and occupational therapy with which exercises will be conducted to improve abilities, movements, as well as training patients for certain work activities. In addition, putting into operation the occupational therapy with land cultivation and horticultural activities.
9. The NPM team strongly condemns the use of any form of physical force against patients and emphasizes that physical violence is inadmissible, and also recommends immediate cessation of such practice and calls on the responsible persons in the Institution to take strong measures to check and control the relationship and the treatment of medical staff by patients.
10. To immediately stop the practice of collective bathing of patients and intensified supervision over the consistency of the performance of the

work duties of the paramedics.

11. Urgent renovation of the parts of the Institutions that are old and unmaintained, stronger maintenance of hygiene in all Institutions, as well as appropriate equipping of the accommodating rooms of the patients, in order to provide a minimum of humane stay.
12. To provide conditions in the hospital for realization of more and more creative activities for the patients, as well as to actively work on encouraging their desire for physical, mental and creative activity, because the activation of the patients and the animation of their time is the most important a means of combating hospitalization.
13. Strong cooperation of all departments in the Institutions with the Department for occupational therapy and implementation of monthly plans and programmes for working and occupational therapy with patients.
14. To place complaints and appeals in all special departments within the Institution, in places that are easily and permanently available to patients and that are beyond the constant and direct view of officials and medical staff.
15. Displaying the House Rules and the rights guaranteed by the Law on Mental Health in several visible and easily accessible places throughout the Institution, but also more active communication between officials and patients, in order to inform them about the basic legal rights.
16. To procure more and better foodstuffs, to prepare a diet menu, according to the specific needs of patients, with prior consultation with a relevant professional, in order to provide a meal for patients with the required nutritional value.

5

VISITS TO SHELTER AND ACCOMMODATION CENTRES FOR FOREIGNERS, ILLEGAL MIGRANTS AND ASYLUM SEEKERS

The Ombudsman, during the reporting year 2019, within the project "Improving the legal protection system regarding asylum and naturalization" continued to protect the rights of refugees/migrants and asylum seekers. In that respect, during the year 16 monitoring visits were made in the places for accommodation and detention of refugees /migrants, foreigners and asylum seekers: 4 visits to the Reception Transit Centres Vinojug and Tabanovce, 4 visits to the Reception Centre for Asylum Seekers in Vizbegovo and 4 visits to the Reception Centre for Foreigners in Gazi Baba.

Review no.42

Overview of visits to the Centres where refugees / migrants are accommodated and detained				
RTC Vinojug	06.03.2019	21.05.2019	24.07.2019	29.08.2019
RTC Tabanovce	05.03.2019	16.05.2019	31.07.2019	20.12.2019
Center for Foreigners - Gazi Baba	22.01.2019	07.03.2019	02.04.2019	29.05.2019
Asylum Seekers Centre - Vizbegovo	12.03.2019	17.05.2019	26.07.2019	01.08.2019

From the visits to the Reception Transit Centres Vinojug and Tabanovce, the Ombudsman noted a significant reduction in the number of people accommodated in these two Centres compared to the previous year (2018), while in terms of country of origin, again the largest percentage of refugees and migrants housed or detained at the Centres came from Afghanistan and Pakistan.

The Ombudsman noted that during 2019, the increased number of detentions of unaccompanied children - foreigners in all four accommodation facilities - Reception transit centres and in Reception centres for foreigners and asylum seekers is characteristic. From the inspection performed in the Centres, it is concluded that the children are treated in accordance with the standard operating procedures for dealing with unaccompanied children - foreigners, a guardian is always appointed, but they are lost in a very short period of time. In this regard, the Ombudsman recommended to the competent institutions to take measures to strengthen the control over the unaccompanied children, in order to enable appropriate treatment for them and in order to prevent the voluntary abandonment of the Reception Centres. The Ombudsman especially pointed out that this is a vulnerable category of people who are subject to possible human trafficking, as well as other types of abuse. He recommended that the authorities, in accordance with the principle of "the best interests of the child", consider the possibility of finding appropriate alternatives for the accommodation of unaccompanied children and other vulnerable categories of refugees/migrants and asylum seekers.

Also, during the reporting year 2019, the Ombudsman found a negative practice of accommodating injured refugees in the Reception Transit Centres. Namely, the RTC Vinojug housed a group of injured persons who had suffered injuries in traffic accidents, in conditions when the Centre does not have the facilities for proper care and attention for these people. In that regard, the Ombudsman sent recommendations to the competent institutions to stop the practice of accommodating persons with severe injuries in transit centres, as well as taking measures to provide appropriate accommodation solutions for these persons until their full recovery.

The treatment of detained foreigners in the Reception Centre for Foreigners Gazi Baba encouraged the preparation of an analysis that covers the legal framework of domestic legislation, international standards and guidelines, the situation in the Republic of North Macedonia in the context of immigration detention through statistics, dealing with unaccompanied children foreigners, as well as comparative analysis and presentation of the situation in several neighbouring countries.



5.1

RECEPTION CENTRE FOR FOREIGNERS - GAZI BABA

During 2019, four visits were made to the Reception Centre for Foreigners in Gazi Baba - Institution under the jurisdiction of the Ministry of Interior.

The Ombudsman is concerned that the occurrence of accommodation is still present, that is, detention of minors in this Centre and warns to stop with this practice and to find alternatives for accommodation of this category of persons.

Minors in the Reception Centre for Foreigners are detained for a short period of time (3 to 4 days) and are usually detained as witnesses in a procedure. After the procedure, the children as asylum seekers are transferred to the Centre for Asylum Seekers Vizbegovo, where they are assigned a guardian in accordance with the Standard operating procedures for dealing with unaccompanied children - foreigners.

What is particularly worrying for the Ombudsman is the fact that despite the fact that there are legal alternatives for accommodating unaccompanied minors in the Republic of North Macedonia, they are not used and the detention of children in the Reception Centre for Foreigners continues.

Namely, the facility for accommodation of the vulnerable category of asylum seekers - Safe House, which in the past years was used as an alternative for accommodation and care of the vulnerable category of refugees seeking asylum seekers, is no longer operational and is not used for that purpose.

It is unacceptable for the Ombudsman to provide childcare in the form of an Institution that does not offer constant supervision over children, continuous attention from pro-

professionals and experts who will provide psycho-social support for children with appropriate creative and educational activities appropriate for their age.

In this regard, **the Ombudsman reminds that the obligation of the Republic of North Macedonia as a signatory to numerous international conventions on the protection of the rights of children and refugees is to provide humane treatment and safe accommodation for refugees, especially unaccompanied children given their vulnerability and risk to become victims of human trafficking, as specified in Article 22 of the Convention on the Rights of the Child,** which states: "Member States shall take appropriate action against a child seeking refugee status or being considered a refugee in accordance with applicable international or national law and procedures, whether or not the child is accompanied by his or her parents or another person, to enable him or her to receive adequate protection and humanitarian assistance in exercising the rights set forth in this Convention and in other international human rights instruments whose members are the mentioned states. "

The State and the Ministry of Labour and Social Policy must provide available accommodation for vulnerable categories of refugees and unaccompanied minors, thus achieving permanent supervision by experts and preventing the disappearance of unaccompanied foreign children in the Republic of North Macedonia.



5.2

RECEPTION CENTRE FOR ASYLUM SEEKERS - VIZBEGOVO

The Reception Centre for Asylum Seekers Vizbegovo - Institution under the jurisdiction of the Ministry of Labour and Social Policy, during 2019 was visited four times by the Ombudsman. From the visits made an average presence of 25 to 30 people on a monthly basis was established, and given the accommodation capacity of the Institution (150 people), it does not face overcrowding. The asylum seekers found at the Centre are mostly from Russia, Afghanistan, Pakistan, Iran, Bangladesh, Algeria, Syria and Nepal. In addition, given the fact that this Institution is of open type and does not have the opportunity to provide 24-hour presence and control over asylum seekers, they usually leave the Centre for a very short period of time.

The Reception Centre for Asylum Seekers has prepared a list of associations that provide free legal aid, from which asylum seekers will be able to independently choose who will represent them in the proceedings before the Asylum Sector at the Ministry of Interior for recognition of the right to asylum. However, there is dissatisfaction with the procedure for recognizing the right to asylum of persons accommodated in the Centre, due to the fact that they last too long and rarely end with a positive outcome for asylum seekers - gaining refugee status.

During the visits to the Reception Centre for Asylum Seekers in 2019, the Ombudsman stated that an Act has been prepared in the centre - Programme for early integration of asylum seekers, which aims to provide asylum seekers with timely access to appropriate programmes through which they will develop knowledge and skills for easier and early adaptation to the new environment. The established programme is a framework for preparing individual programmes of the

organizations that work in the PI "Reception Centre for Asylum Seekers" Vizbegovo, adequately for seven days, that is six and more months.

Namely, from the inspection in the Programme for asylum seekers, NP concludes that it has 3 components: with short-term character up to 7 days stay, medium term up to 6 months and long term stay in the Reception centre for asylum seekers over 6 months, and contains more activities such as: group and individual counselling in order to improve the psycho-social condition of persons, advanced learning of Macedonian and foreign language in order to improve language skills, vocational training in order to acquire skills for greater competitiveness in the labour market, as well as occupation workshops to express the creativity of asylum seekers, which will include citizens' associations.

However, during the conversations with asylum seekers present at the Centre, the Ombudsman was informed that only a small part of the activities provided in the Programme for Early Integration of Refugees accommodated for a longer period of time in the Centre are realized. Namely, only the courses for learning Macedonian language are performed in the Centre. Hence, the NP points out that, although the programme provides for group and individual counselling with asylum seekers in order to improve the psycho-social condition of the persons, there is a condition where these counselling is not realized at all.

According to the asylum seekers housed in the Institution, there is a lack of more organized free time during the stay in the Reception Centre for Asylum Seekers, additional activities are missing, more frequent use of the gym and computer centre, which they said are not always available for use.

Thereby, the asylum seekers accommodated in the Centre do not have more serious remarks about the treatment by the officials, they are satisfied with the material conditions, the food and the accommodation facilities that the Centre offers.

Regarding the medical protection in the Reception Centre for Asylum Seekers, it was concluded that unlike the previous year (when there was a doctor in the Institution 2 times a week), this year in the Institution the presence of a doctor is provided three times during the week (Monday, Wednesday and Friday), for a period of 4 hours a day, with working hours from 9 am to 1 pm, but the doctor is also called whenever there is an emergency need for medical assistance, and he is engaged in the Institution through the Red Cross.



5.3

RECEPTION TRANSIT CENTRES VINOJUG AND TABANOVCE

During 2019, the Ombudsman conducted a total of eight visits to the Reception Transit Centres, four visits to RTC Vinojug and RTC Tabanovce.

The number of refugees/migrants accommodated in the Vinojug and Tabanovce Reception Transit Centres was quite variable and varied on a daily basis. Namely, in the camps one could see in one day from 18 to 45 people accommodated. Thereby, **the migrants/refugees are detained on the territory of the Republic of North Macedonia for a very short period of time. Most often, after the initial registration and provision of basic necessities (medical assistance, food and water), the refugees leave the camp and continue their destination.**

5.3.1. Reception Transit Centre Vinojug

From the visits to the Vinojug Reception Transit Centre, the Ombudsman concludes that a negative practice of selective access to the procedure for recognizing the right to asylum has been established.

Namely, according to the statements of the refugees, they were prevented from submitting a request for recognition of the right to asylum, with an excuse from the officials that the persons will certainly not receive the status of recognized refugee, which would be followed by their deportation to Greece.

The Ombudsman strongly condemns this action of the officials and reminds that according to the Law on Temporary and International Protection, every refugee has the inalienable right to access the procedure for recognition of the right to asylum.

In addition, during the reporting year 2019, two cases were characteristic for RTC Vinojug - a case of accommodation of persons with severe bodily injuries, as well as accommodation of children in the Centre.

Namely, during one of the visits, several people were found in the Centre with severe bodily injuries received in a traffic accident, and some of the persons underwent medical intervention. The Ombudsman informs that this is not the first case of accommodation of persons with severe bodily injuries in the Centre.

The persons accommodated in the Centre stated that they are generally satisfied with the treatment and action of the Red Cross and other organizations present in the field, they are also satisfied with the treatment in the hospitals where additional interventions and medical care were performed, but at the same time expressed concern over the fact that at the Vinojug Reception Transit Centre, there are no specialized people who will take care of the most seriously injured people who need constant care and medical attention on a daily basis.

Considering that the Centre does not have adequate accommodation facilities, nor with appropriate professional and expert staff ready for this category of persons, the Ombudsman reminds that the Reception Transit Centre Vinojug is not an appropriate place for their accommodation.

Pursuant to Article 32 of the Law on Ombudsman, the Ombudsman recommended to the Ministry of Health in which he recommended to urgently take measures to provide appropriate accommodation solutions for these persons until their full recovery, measures for regular and continuous monitoring of their health and trauma from the car accident.

From the conducted visits during 2019, the Ombudsman found a practice of detaining minors in the Centre. Namely, in RTC Vinojug minors were found who in the presence of a guardian who was immediately assigned to them, submitted an oral request for recognition of the right to asylum, which officially gained them the status of asylum seekers in the Republic of North Macedonia.

Considering the fact that the unaccompanied children had already acquired the status of asylum seekers, at the request of the special guardian from Gevgelija, a procedure was initiated for appointing a guardian in a special case who will take over the unaccompanied children from their special guardian on the territory of Skopje, where they will protect their rights and interests in the proceedings before the Ministry of Interior and other competent institutions, as well as provide them with adequate accommodation.

The expert team at the MLSP submitted a request to the Service for guardianship and protection of children without parents and parental care and guardianship and protection of adults and the elderly - Department for guardianship and protection of children without parents and parental care for accommodation of unaccompanied children in foster care and with Decision Up1-3001-466 from 31.07.2019 and Decision Up1-3001-473

from 31.07.2019 of the Inter-Municipal Centre for Social Work of the City of Skopje the children are urgently accommodated in a foster family with a location in Orizari, as from 25.07.2019.

Starting from the best interest of the child and the right to care and appropriate attention, in accordance with the Convention on the Rights of the Child, representatives of the Ombudsman's Office inspected the PI Inter-Municipal Centre for Social Work in Skopje, and immediately inspected the documents contained in the files of the children, and a conversation was held with the appointed guardian of the children in a special case.

5.3.2. Reception Transit Centre Tabanovce

The short-term presence of minors - unaccompanied foreign children, who immediately or at most leave the camp within 3-4 days, during 2019 was also characteristic for the Reception Transit Centre Tabanovce. Although the children are treated in accordance with the standard operating procedures for dealing with unaccompanied children - foreigners, the practice shows that they leave the camp in a very short period of time.

Regarding the health condition and the undertaken medical interventions on the refugees arriving at the Reception Centre, the representative of the medical staff pointed out a specific case of a person who suffered burns on his body (the back of his body was completely covered), which were a consequence on electric shock when trying to get on a train.

The injured person was immediately transferred to a hospital in Skopje, but in a short period of only a few days he was released for home treatment, which in this particular situation means treatment in the accommodation facilities of the Reception Transit Centre, for which the Ombudsman states that there are not enough conditions to be realised. Accordingly, the difference between the method of home treatment and the "home treatment" provided in this case is obvious, where the person does not have the necessary conditions for recovery and in case of need for any help, he can get it hoping only on the good will and humanity of the other people present in the camp.

Regarding the food in the Reception Transit Centre Tabanovce, the Ombudsman concluded that the people accommodated in the camp usually receive canned food, and less often hot meals. In addition, the refugees complained about the insufficient amount of food they received in the camp.

GENERAL CONCLUSIONS AND RECOMMENDATIONS ON THE CONDITIONS WITH REFUGEES/ MIGRANTS IN THE ACCOMMODATION AND CARE FACILITIES

Conclusions

1. The Ombudsman concludes that the Programme for early integration of persons seeking asylum in the Reception Centre for Asylum Seekers in Vizbegovo is not fully implemented, that is, the planned activities are not realized, due to which the persons lack better fulfilment of their day during their stay at the Centre;
2. In addition to the indications and recommendations of the Ombudsman to stop the negative practice of detention of minors in the Reception Centre for Foreigners in Gazi Baba, this phenomenon is still present in 2019 and cases of detention of minors have been noted again;
3. Although the minors who transit through the Republic of North Macedonia are treated in accordance with the Standard Operating Procedures for dealing with minors for the appointment of a guardian, the Ombudsman found that there is no more serious action and control over them, given the fact that as vulnerable category of persons they are potential victims of human trafficking;
4. It was concluded that there is a lack of more serious control and security measures regarding the detainees in the Reception Centre for Foreigners in Gazi Baba, especially for those who are at risk of possible escape from the Centre, which was confirmed by the escape of the Turkish citizen;
5. The Ombudsman is concerned that the negative occurrence of restriction of access to the procedure for recognition of the right to asylum by officials of the Ministry of Interior, which was removed by the Ombudsman after prior recommendation, is again present.
6. The Ombudsman particularly criticized the Interior Ministry's explanation that "the persons certainly would not have acquired the status of a recognized refugee";
7. Although in the Reception transit centres Vinojug and Tabanovce there are no appropriate conditions for treatment and attention of persons in need of specialized medical care and assistance in performing daily duties, it is a practice for these persons to be accommodated in the Centres.

Recommendations

1. The Ombudsman recommends to the **Ministry of Interior** to take appropriate measures to increase security measures in the Reception Centre for Foreigners Gazi Baba and measures to enable functional video surveillance in the building both inside and outside. It also recommends that measures be taken to increase security and control over detainees in the Reception Centre in order to prevent escape.
2. The Ministry of Interior should take measures to enable every refugee to have unimpeded access to the procedure for recognition of the right to asylum, the selective approach of the official of the Ministry of Interior and the attempts to obstruct to be seriously investigated and severely sanctioned.
3. **The Ministry of Interior and the Ministry of Labour and Social Policy** to take measures to strengthen the control over the unaccompanied minors for their proper treatment and prevention of voluntary abandonment of the Reception Centres which will stop the negative practice of losing track of this category of persons, and the Ministries not to have data on when these persons left and where they went after their departure.
4. The Ombudsman especially points out that this is a vulnerable category of people who are subject to possible human trafficking, as well as other types of abuse.
5. The Ombudsman recommends that the **Ministry of Interior** immediately stop the practice of detaining minors in the Reception Centre for Foreigners Gazi Baba, and at the same time recommends that the **Ministry of Labour and Social Policy** according to the principle "best interest of the child" considers the possibility to re-operate the Safe House or to find suitable alternatives for their accommodation, in accordance with the international standards for accommodation of unaccompanied minors both in terms of involvement of persons in various activities and in terms of education, health, including family reunification as a primary interest for this category of persons.
6. The **Ministry of Labour and Social Policy** should take measures for full and uninterrupted implementation of the activities envisaged in the Programme for early integration of asylum seekers in the Reception Centre for Asylum Seekers.
7. The Ombudsman recommends to the **Ministry of Health** to continuously monitor the situation with the persons in the Received Centres Vinojug and Tabanovce and to create conditions for uninterrupted health treatment as well as measures for treatment of refugee persons who have chronic (severe) diseases and persons with physical (especially severe) injuries for their treatment in appropriate health facilities.

5.3.3. Detention of foreigners in immigration detention

Over the past years, the Ombudsman has been actively monitoring the situation by dealing with refugees/ migrants and foreigners accommodated in the Reception Center for Foreigners - Gazi Baba in the Republic of North Macedonia, and consequently takes appropriate measures to protect the rights of these persons.

Regarding the detention of foreigners in the Reception Centre for Foreigners, **the Ombudsman has reacted sharply in recent years, pointing to the illegally adopted decisions and the problematic grounds for detention, asking the competent authorities to respect the rights of these persons and the prescribed standards.**

The treatment of detained foreigners at the Gazi Baba Reception Centre encouraged the development of research. The research contains an analysis of the situation for a period of 5 years, more precisely from 2015, until September 2019, which is an activity that the Ombudsman realizes with the support of the Office of the High Commissioner for Refugees (UNHCR). Namely, for the purposes of this analysis, the Ombudsman addressed an official letter and a request for information and statistics to the Ministry of Interior, namely the Department of Border Affairs and Migration. **At the same time, the analysis covers the legal framework - domestic legislation, international standards and guidelines, with special reference to the situation in the Republic of North Macedonia in the context of immigration detention, dealing with unaccompanied children, as well as comparative analysis and presentation of the situation in several neighbouring countries, namely: the Hellenic Republic, the Republic of Bulgaria, the Republic of Serbia and the Republic of Slovenia.**

The subject of this research were foreign citizens who are detained for immigration reasons in the Reception Centre for Foreigners - Gazi Baba, with a special focus on the vulnerable categories of foreigners detained in the Centre.

The purpose of the research is to review the conditions related to the treatment and the conditions of accommodation of the detained persons in the Reception Centre for Foreigners to find appropriate solutions in order to protect their rights prescribed by domestic and international standards.

The research showed that the state and the competent Institution failed in terms of accommodation and treatment of foreign nationals detained for immigration reasons in the Republic of North Macedonia. Namely, the reception centre for foreigners does not meet the domestic or international standards for detention of this category of persons, and this is especially evident in conditions of detention of vulnerable categories of foreigners. Hence, there is an unequivocal need for appropriate alternatives for keeping foreigners, especially for unaccompanied children.

In addition, there are conclusions and recommendations that emerged from the research on the situation with detention of foreigners in immigration detention:

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Conclusions	Recommendations
<p>The official closure of the Balkan Route on March 9, 2016, intensified illegal migration and migration movements, which contributed to an increased risk of human trafficking and smuggling of migrants, as well as the detention of foreigners in immigration detention;</p>	
<p>Continued repression of refugees, as well as informal deportations outside the formal procedure, further influence irregular migrants to turn to organized crime groups dealing with migrant smuggling;</p>	
<p>The only available facility for accommodation and detention of foreigners, the Reception Centre for Foreigners in Gazi Baba, does not meet international standards for detention of foreigners and asylum seekers, which makes it necessary to build a new Reception Centre for Foreigners. suitable for this purpose;</p>	<p>It is necessary to immediately start the construction of a new Reception Centre for Foreigners that will be suitable for this purpose;</p>
<p>Detention alternatives must be legally available and implemented in practice;</p>	<p>For detained persons foreigners as witnesses in criminal proceedings to find appropriate alternatives for taking a statement via video or any other method, which would use such a statement in the further procedure, and would reduce the period of detention of persons as witnesses in these criminal proceedings;</p>
<p>No child may and should not be detained for immigration reasons; If detention is necessary, there must be appropriate accommodation alternatives;</p>	<p>Provide appropriate alternatives for keeping persons - foreigners, especially for unaccompanied children and single mothers as a vulnerable category of persons, given that currently the only institutions for keeping foreigners are Gazi Baba Reception Centre and the Reception Centre for Asylum Seekers in Vizbegovo;</p>

Any detention imposed on a foreigner must be in accordance with the law and under the legal grounds for detention of a foreigner and such detention must not be arbitrary and any detained foreigner in immigration detention must be provided with effective legal assistance and possibility for challenging the legality of the decision for detention, as well as access to all guaranteed rights in accordance with the Law and bylaws adopted by the competent institutions;

The comparative analysis of the situation in the countries of the region points to the need to improve the legislation and legal procedures in the context of immigration detention in order to approach international standards and directives.

The detention of persons seeking asylum in the Reception Centre for Foreigners should be applied and practiced in exceptional cases which are listed in Article 63 of the Law on International and Temporary Protection and such action should be an exception, not a common practice and detention for immigration reasons is to be applied exclusively in situations determined by law, and to explain to each foreigner the reasons for the detention in the language he/she understands, to provide him/her with access to legal aid and legal remedy;

To follow the positive example of some European countries that are taking steps to completely abolish administrative detention for children and to respect the legally prescribed rights of detained persons by officials, that is in cases of short-term detention of minors to be placed in special rooms set aside by adults, to respect the principle of “best interests of the child” and to enable children to engage in free and recreational activities appropriate to their age, medical, psychological and social assistance;

To follow the positive example of some European countries that are taking steps to completely abolish administrative detention for children and to respect the legally prescribed rights of detained persons by officials, that is in cases of short-term detention of minors to be placed in special rooms set aside by adults, to respect the principle of “best interests of the child” and to enable children to engage in free and recreational activities appropriate to their age, medical, psychological and social assistance;

When it comes to restricting the freedom of movement of asylum seekers, to follow the positive example of the Republic of Slovenia in terms of duration of restriction of freedom of movement of asylum seekers which is limited to a maximum of 4 months without extension option, with the possibility for control by the President of the Administrative Court who may order the termination of such detention during the said period.

6

INTERNATIONAL COOPERATION AND ACTIVITIES

The Ombudsman - National Preventive Mechanism in 2019 for the first time chaired the Network of National Preventive Mechanisms of Southeast Europe and hosted two meetings of the Network whose organization was supported by the OSCE Mission to Skopje and the Office of the High Commissioner for Skopje (UNHCR).

The first meeting was held on June 11 and 12 and was dedicated to building strategies for protection against repression against individuals or organizations that share information with the National Preventive Mechanisms and at the meeting in addition to representatives of the national preventive mechanisms, representatives of the UN Subcommittee on Prevention of Torture also participated. The topic of the second meeting, which took place on 2nd and 3rd October, was **"Specific needs of children in places of detention"**.

The participants in both meetings had the opportunity to share their experiences, highlighting the challenges and good practices in the level of action on specific issues, and the conclusions of the meetings are contained in special publications, which include the presentations of each of the participants.

Representatives of the National Preventive Mechanism team also took part in a series of events organized by the **Association for the Prevention of Torture (ART)**, the Department of Human Rights in the Council of Europe and the OSCE / ODIHR from 4 to 6 November 2019 in Strasbourg, France, on the occasion of the 30th anniversary of the European Committee for the Prevention of Torture, which focused on guarantees of protection against torture and other inappropriate actions in the early stages of restricting freedom of movement.

7

PREPARATION AND PROMOTION OF THE ANNUAL REPORT

At a press conference held on June 26, 2019, the Deputy Ombudsman presented the Annual Report of the National Preventive Mechanism for 2018.

According to the established practice from previous years, this Report was also submitted to the competent ministries, and to other bodies, institutions and organizations where deprivation or restriction of freedom of movement is carried out.

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

ANNUAL REPORT 2019-OMBUDSMAN- NATIONAL PREVENTIVE MECHANISM

Annex 1: Review of activities of the National Preventive Mechanism in 2019

- preventive visits
- visits within the project
- domestic and international activities

Date	Place	Activity	Organizer
22.01.2019	Skopje	Visit to RC Gazi Baba	NPM
14.02.2019	Demir Hisar	Extraordinary visit to PHI Psychiatric Hospital Demir Hisar	NPM
06.03.2019	Gevgelija	Visit to RTC Vinojug	NPM
07.03.2019	Skopje	Visit to RC Gazi Baba	NPM
12.03.2019	Skopje	Visit to the Reception Centre for Asylum Seekers - Vizbegovo	NPM
15.03.2019	Skopje	Regular visit to PS Karposh	NPM
19.03.2019	Skopje	Regular visit to PS Bit Pazar	NPM
02.04.2019	Skopje	Visit to RC Gazi Baba	NPM
13.05.2019	Negorci - Gevgelija	Extraordinary visit to PHI Psychiatric Hospital Negorci	NPM
17.05.2019	Skopje	Visit to the Reception Centre for Asylum Seekers - Vizbegovo	NPM
21.05.2019	Gevgelija	Visit to RTC Vinojug	NPM
29.05.2019	Skopje	Visit to RC Gazi Baba	NPM
11-12.06.2019	Skopje	The first meeting of the network of national preventive mechanisms from Southeast Europe in 2019	NPM end OBSE
10.07.2019	Skopje	PS Centar	HPM
15-16.07.2019	Ohrid	Regular visit to CPI Tetovo and Ohrid Prison	
24.07.2019	Gevgelija	Visit to RTC Vinojug	NPM
26.07.2019	Skopje	Visit to the Reception Centre for Asylum Seekers - Vizbegovo	NPM
31.07.2019	Tabanovce	Visit to RTC Tabanovce	NPM
01.08.2019	Skopje	Visit to the Reception Centre for Asylum Seekers - Vizbegovo	NPM
06.08.2019	Gostivar	Regular visit to PS Gostivar	NPM
08.08.2019	Debar	Regular visit to PS Debar	NPM
16.08.2019	Kavadarci	Regular visit to PS Kavadarci	NPM
27.08.2019	Kratovo	Regular visit to PS Kratovo	NPM
12.09.2019	Shtip	Regular visit to CPI Shtip	NPM
18.09.2019	Shtip	Regular visit to PS Shtip	NPM
20.09.2019	Volkovija- Gostivar	Visit to the new building of CPI Tetovo in Volkovija	NPM
02-03.10.2019	Skopje	Second meeting of the network of national preventive mechanisms from Southeast Europe in 2019	NPM and UNHCR
09.10.2019	Probishtip	Regular visit to PS ProbiShtip	NPM
10.10.2019	Delchevo	Regular visit to PS Delchevo	NPM
25.10.2019	Radovish	Regular visit to PS Radovish	NPM
05.11.2019	Ohrid	Extraordinary visit to the Ohrid Prison Penitentiary	NPM
13.11.2019	Demir Hisar	Regular visit to PS Demir Hisar	NPM
21.11.2019	Krushevo	Regular visit to PS Krushevo	NPM
06.12.2019	Skopje	Regular visit to the Arresting Department at the Clinical Centre Skopje - CPI Idrizovo	NPM
13.12.2019	Kriva Palanka	Regular visit to the Open Department of the Kumanovo Prison in Kriva Palanka	NPM
18-19.12.2019	Prilep	Regular visit to the Prilep Penitentiary	NPM
20.12.2019	Tabanovce	Extraordinary visit to RTC Tabanovce	NPM
24-25.12.2019	Skopje	Regular visit to PHI Psychiatric Hospital Skopje	NPM

Annex 2: Associates of the National Preventive Mechanism

1. Prof. Trpe Stojanovski, PhD - Association for Criminal Law and Criminology
2. Prof Stojanka Mircheva, PhD - Association for Criminal Law and Criminology
3. Ice Ilijevski - Association for Criminal Law and Criminology
4. Elena Mujoska Trpevska, PhD - Association for Criminal Law and Criminology
5. Assist. d-r. Goran Pavlovski - Association of Forensic Medicine at the Macedonian Medical Association
6. Prof. Suncica Dimitrijoska, PhD - Association of Social Workers of the City of Skopje
7. Slavica Sekutkoska - Association of Social Workers of the City of Skopje
8. Aleksandra Coneva, MA - Association of Social Workers of the City of Skopje
9. Prof. Vladimir Ilievski, PhD - Association of Social Workers of the City of Skopje
10. Prof. Liljana Ignjatova, PhD - Association of Psychiatrists
11. Prof. Marija Raleva, PhD - Association of Psychiatrists
12. Vladimir Ortakov, PhD - Association of Psychiatrists
13. Prim. d-r Slavica Gajdzis-Knezevic - Association of Psychiatrists
14. Margarita Nikolovska - Chamber of Psychologists
15. Saska Atanasova - Association of Nurses, Technicians and Obstetricians
16. Darko Dimovski - Association of Nurses, Technicians and Obstetricians
17. Olgica Tancheva - Macedonian Association of Young Lawyers
18. Svetlana Crvenkovska - Macedonian Association of Young Lawyers
19. Irena Zdravkova - Macedonian Association of Young Lawyers
20. Arben Gudachi - Macedonian Association of Young Lawyers

