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

On **13.03.2014** the National Preventive Mechanism carried out unannounced visit to the Police Station (PS) for border control Delchevo. The visit was conducted in cooperation with an external collaborator from the Macedonian Young Lawyers Association, registered association for giving free legal aid. The association is involved in giving free legal aid to asylum seekers in the Reception Center for asylum seekers.

The purpose of the visit according to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, is identifying risks with aim of prevention of torture or other cruel, inhuman or degrading treatment or punishment.

The visit of the police station for border control Delchevo was carried out in the way that firstly the NPM team met with the Commander of the PS, and then inspected the premises of the police station, as well as the registry of persons deprived of liberty.

According to the Decision for police station for detention of persons deprived of liberty, the PS for border control Delchevo is not designated as such, thus in the police station there is no specialized room for that purpose. Still, having into consideration the competences that the police station has, the station may deprive of liberty persons on the run, persons for whom there is an arrest warrant issued, or persons who illegally entered the country.

Pursuant to the information received by the Commander, this PS does not have a separate room for temporary detention of persons deprived of liberty. Temporary detention is carried out in the room of the shift leader, but in case there are few persons, temporary detention is carried out in the corridor of the police station in presence of police officers. The NPM team is of opinion that the corridor is not adequate for such purpose, even for detention of few hours because the temporary detained persons are exposed to curiosity of other citizens who can be at that moment in the official premises of the Police station for border control Delchevo.

The border crossing Delchevo does not possess separate room for search/examination of persons deprived of liberty, nor with separate room for asylum seekers.

The NPM team inspected few premises of the police station, concluding that the rights of persons deprived of liberty and the codex of the police ethics are visibly posted and accessible to the citizens, at the entrance of the corridor in the police station for border control. Still, in the office of the shift leader there were no posters with the rights of the persons deprived of liberty, thus the NPM is of opinion that the rights of the persons deprived of liberty should be visibly posted in the room of the shift leader (next to the duty service), since that room is the first one where the persons get acquainted with the officials and where their rights are being told.

The National Preventive Mechanism during the visit of the PS for border control Delchevo inspected the whole evidence referring to the persons deprived of liberty. They inspected the Book for persons deprived of liberty and detained persons, the Book for daily events, the Book for usage of means for coercion. By random choice they also inspected 4 individual folders of persons deprived of liberty. Based on the inspection of the Book for persons deprived of liberty and detention, it was concluded that this registry is properly kept, all graphs of the sample are fully filled in, the Book of daily events is kept regularly, but in few places the wrongly inserted data are corrected with corrector. There is an obvious numeric connection in the Book of daily events with the book for persons deprived of liberty.

From the inspection of the minutes for detention and the registry for legal advice, it was noted that the apprehended persons are always informed about their right to attorney and right to a medical check in case they need one.

The National Preventive Mechanism prepared a separate report where the positive and the negative situations were duly noted and gave appropriate recommendations to the Ministry of Internal Affairs and the Commander of the Police Station for border control Delchevo.