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НАРОДЕН ПРАВОБРАНИТЕЛ
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AVOKATI I POPULLIT
O M B U D S M A N
Republic of Macedonia

On 30.09.2014 the Ombudsman-National Preventive Mechanism (NPM) carried out **regular unannounced visit** to Police Station (PS) Krushevo (first visit of the NPM team to this police station).

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.

At the beginning of the visit the team met with the Commander of this police station, and then continued by inspecting the official and accessory premises of the PS Krushevo.

After the inspection, the NPM team assessed several registries and evidences:

- The book of daily events;
- The evidence of detained persons;
- Registry of usage of the means of restrain;
- Evidence of persons deprived of liberty and detained persons, and
- Registry of submitted complaints of citizens against police officials, and
- Certain number of individual files of detained persons.

In accordance with the Decision¹ for designation of police stations for detention of persons, this PS is designated for detention, but in reality it does not have adequate conditions in accordance with the national and international standards for deprivation of liberty. Namely, the persons deprived of liberty are detained in the offices of the police officials. The offices do not have adequate means for rest (beds, mattresses, linen), and do not satisfy the conditions for longer detentions during the nights. Also, The NPM expressed concerns that persons deprived of liberty who are detained in the same premises for other purposes, may face humiliation.

The Police station does not have on its disposal a separate room for inspection-search, the inspection of persons deprived of liberty is done in the corridor of the PS, while as the interview with persons deprived of liberty in the offices.

¹ Decision for designation of police stations for detention of persons No. 12.1-82035/1 from 18.11.2011, adopted by the Ministry of Internal Affairs ("Official Gazette of the Republic of Macedonia" No. 163/11), and designates 38 police stations where persons can be detained.

During the visit there were no persons deprived of liberty whom the NPM team could have interviewed about the police conduct towards them and the conditions for detention in this police station.

According to the information received by the Commander of the PS Krushevo, in this police station there are two employed shift leader. In the part of the conduct towards children, it was pointed that this PS does not have a separate room for detention of children, thus they try to avoid deprivation of liberty of children. In terms of that, they do not have a specialized inspector who would work only with juveniles. In cases of deprivation of liberty of a juvenile, the PS immediately informs the Center for Social Work and a lawyer as per the Law on Juvenile Justice. However, the Center not always responds to the demands of the PS in cases of juvenile detention.

Having in mind the international standards for persons deprived of liberty which guarantee the right to food, while as the standardized operative procedure of the Ministry of Internal Affairs envisage minimum of one meal during the detention time (in cases of detention longer than 6 hours). From the conducted interview with the Commander, it was said that this PS does not possess a separate budget for securing food for detained persons. The food is usually secured by the police officers personally in cases when the detained person does not possess his/her own financial means.

The Registry of daily events is kept tidely, all the columns are fully filled, and for every event there is a detailed description which is clear and readable. In the Registry for daily events the mistakes are not crossed over i.e. no corrector is used.

The inspection of the individual files of detained persons was conducted randomly (in one of the cases there was a file of a juvenile). The NPM team concluded that the files are not kept properly i.e. not all the cases have the same individual format. The documents in some of them were incomplete and badly filled, while as in one file the minute for detention of a person was missing.

As a result of this visit, 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 Police Station with aim to eliminate the identified shortcomings.