



Република Македонија  
НАРОДЕН ПРАВОБРАНИТЕЛ

Republika e Maqedonisë  
AVOKATI I POPULLIT

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

On **27.11.2014** the National Preventive Mechanism (NPM) carried out unannounced visit to the Police Station Probishtip (first visit of the NPM team to this police station). The visit was conducted in cooperation with an external collaborator from the Macedonian Young Lawyers Association (MYLA), registered association for giving free legal aid.

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.

During the visit the team inspected the following:

- material conditions of the places of detention,
- the conduct of the police officials towards persons deprived of liberty,
- the evidence of registries and specialized books for detained persons,
- other places (working premises of police officials).

Police station Probishtip has 3 old premises for detention with only one bed in each of them for individual detention. The premises for detention are in the basement of the police station. All three premises do not satisfy the standards for accommodation of detained persons in terms of the size. Namely, all of them are with small surface, 2.66 m<sup>2</sup> which do not comply with the minimum standard of 4 m<sup>2</sup> per person. During the inspection of the detention premises, the NPM detected that they lack clean and tidy means for rest (for short terms and overnight detentions), they have a bed, a mattress, a blanket, but in none of them there is linen and pillows for overnight rest and sleeping.

In terms of the light, the premises do not satisfy the standards for a day light i.e. there is only artificial light which does not enter through the upper part of the door. During the visit the NPM concluded that the temperature is below the overage standard of around 16°C, while as the humidity of the air was around 42%. Since the premises are lacking heating devices, the heating presents a problem during the winter time. The premises have a calling device which at the time of the visit did not function which consequently raises the question in which way the detained persons call the duty officer in emergency cases, especially having in mind that these premises are in the basement of the police station, while as the office of the Shift Leader is on the ground floor.

During the visit of the premises for detention as well as in the other official premises, the NPM team did not find means of intimidation or any other suspicious objects.

The Registry of daily events is kept regularly and all the columns in it are timely filled. All daily events are duly filled with all necessary information and without usage of corrector. The inspection of this book gave a clear picture of all the activities and things that are part of the

work of the Police Station Probishtip. The evidence of persons deprived of liberty and detained persons, is kept tidily, all the columns are filled, and the category between persons deprived of liberty and detained person is clearly distinguished.

The inspection of individual files was done randomly, leading to a conclusion that everything is done neatly. Aside of the minutes for detention, adequate other documents related to the detention of the person and the exercise of his/her rights make part of the file. There is a chronology of events in the minutes where the time of detention is well noted. In one individual file there was a control list for detained persons, in which one can notice that the detained person was checked 12 times in intervals of 30/40 minutes.

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.