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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

The Ombudsman-National Preventive Mechanism (NPM) on 04.06.2014 carried out unannounced visit to PCF Shtip. The NPM carried out this visit accompanied by external collaborators from the Association of Psychiatrists and the Association of Forensics from the Institute of forensic medicine, on the basis of previously signed Memorandums of Cooperation.

The NPM carried out unannounced follow up visit to PCF Shtip within the mandate and competences deriving from the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Law on the Ombudsman. This visit follows the regular one which the NPM carried out on 22 and 23.05.2014 in which report it noted its findings and recommendations and submitted them to the management of this Penitentiary-correctional facility and the Directorate for Execution of Sanctions within the Ministry of Justice of the Republic of Macedonia.

The visit to this prison was carried out in several steps. The NPM team firstly met with the management of the prison, led by the Director, after which it split into two teams. The first team visited the closed department and the solitary confinements, as well as the sick bay, while as the second team visited the reception department, the semi open department, and inspected the kitchen and the fitness room. During the visit the NPM interviewed the officials from the Sector for health care. Upon receipt of complaints, the NPM inspected several medical charts, inspected the books for solitary confinements, the usage of means of restrain, and inspected several experts' files managed by the Sector for re-socialization.

During the follow up visit it was concluded that out of the total number of given recommendations, 8 have been implemented, 6 have not been implemented, while as 5 are partially implemented.

During this visit the NPM was informed that not long ago 2 doctors and 2 medical technicians were in place, but 1 doctor and 1 technician left the job. Due to the expected undertake of the medical part by the Ministry of Health, no filling of the vacant positions can be expected in near future. Since the last visit, in this prison a medical education of all the employees and inmates took place on several topics (tuberculosis, HIV/AIDS, hepatitis C). The persons under the therapy of methadone receive it regularly, but they have not had a control check by a psychiatrist in terms of the doses they take i.e. they take the same doses for months without a control check up.

All convicted persons complained about the problems they have with non-continuous water supplement since the water from the pipes are chemically unsafe i.e. it is used as a technical water, while as the one for drinking is received from cisterns. In accordance with the conclusions of the external collaborators of the NPM, there is a need for resolving this problem. This question should be addressed since the water is chemically and

bacteriologically unsafe and it could cause infective diseases among the inmates which could be even terminal, unless hospitalized on time, in particularly during the summer time.

During the interview the NPM had with the doctor, the team was informed that the problem with the medical charts of the transferred persons from other prisons has not been resolved yet. The NPM team inspected the medical charts of persons who have been transferred from other prisons and it was concluded that during their transfer the medical charts have not been brought with them which represents a problem to the doctor to assess their medical condition or possible therapy. This represents a big obstacle for a continuous receipt of therapy, in particular among the chronically ill persons for whom there is a need of time and means to assess their diagnosis or evaluate the medical condition. The problem with the medical charts was in particularly emphasized since the doctor has to demand for medical documentation additionally.

In terms of this, a recommendation was given for reconstruction of the water supply network. This is important from more aspects, maintaining the good health of the inmates and prevention of diseases. There is a need to prepare a protocol for transfer of convicted person from one to another facility which will enclose the medical documentation.

During the follow up visit the NPM carried out interview with most of the inmates in several departments. The treatment by the Security Sector was evaluated as a correct one i.e. most of the inmates were satisfied with their conduct as well as with the Sector for re-socialization (the tutors). However, there were some of them who complained about a usage of physical force by the Security Sector.

As a result of this visit, the Ombudsman as a National Preventive Mechanism prepared a separate report where it concluded the level of implementation of the given recommendations and gave additional ones to the Directorate for Execution of Sanctions and the PCF Shtip.