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НАРОДЕН ПРАВОБРАНИТЕЛ

Republika e Maqedonisë
AVOKATI I POPULLIT

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

The Ombudsman-National Preventive Mechanism (NPM) on 28.05.2014 carried out unannounced visit to the Police Station (PS) Bit Pazar with aim to assess the recommendations given in the report from the regular visit conducted on 09.12.2011.

The NPM carried out unannounced follow up visit to the Police Station Bit Pazar within the mandate and competences arising from the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Law on Ombudsman. The visit was focused on several negative findings from the special report of 2011 and the assessment of the implementation of the given recommendations.

The follow up visit to the Police Station Bit Pazar was carried out in few steps. The NPM team at the beginning explained the reasons behind the follow up visit to the Shift Leader of the police station, then assessed the detention premises, the premises for interrogation and acceptance, the toilets of detained persons, as well as inspected the Book of daily events, the Registry on persons deprived of liberty, the Registry on usage of means of restrain, and six auxiliary files of persons deprived of liberty. During the visit the NPM interviewed one person deprived of liberty on the treatment and the access to rights during police procedure.

From this follow up visit the NPM concluded that most of the recommendations regarding the police station Bit Pazar have been implemented, but the recommendations that refer to the responsible ministry (MOIA), are still unimplemented.

The NPM concluded that the toilets have not been cleaned yet of dangerous materials and objects. The NPM is of opinion that these objects should be removed as the person detained should avoid causing self-inflicted injuries or injures to the police officers. Also, it was concluded that the premises for interrogation and interview with persons deprived of liberty although officially in use, have not been yet equipped with computer and other technical means.

The Police Officer informed the team that still persons deprived of liberty cannot be brought trough the back entrance since its access is rather difficult. In terms of nutrition, it was

stressed that the PS Bit Pazar still does not possess adequate financial means for purchase of food.

Although the NPM concluded progress in some of the given recommendations, still during the follow up visit it was noted that the documentation of detained persons does not have a logical flow of events i.e. same time is inserted for apprehension, detention and instruction of the rights to the person deprived of liberty. Thus, the NPM is of opinion that it is necessary to fill out the evidence of persons who are arrested, deprived of liberty and detained in a police station by following the logical flow of events, from the moment of deprivation of liberty up to the release from the police station as the time of 24 hours for an adolescent and 12 hours for a minor could be respected.

During the visit to the police station Bit Pazar, there was one detained person. The NPM team interviewed him in private without presence of officials. According to the information received from this person, the police officers treated him correctly during the arrest, he was taught of the rights he is entitled to i.e. the right to a doctor, to a lawyer, and the right to inform a member of the family.

As a result of this visit, the Ombudsman as a 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 Bit Pazar with aim to eliminate the identified shortcomings.