



Република Македонија
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 21.11.2014 carried out a **follow up night visit** to the Police Station (PS) Center assessing the implementation of the given recommendations of the regular visit conducted on 24.02.2012.

The NPM conducted this **unannounced follow up visit** to PS Center 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 to the police station Center was conducted in several steps. The team of the National Preventive Mechanism at the beginning explained to the Shift Leader the purpose of the visit, and then inspected the premises for detention, the toilets for detained persons, and inspected the Book of daily events, the Evidence of persons deprived of liberty and detained persons and the Evidence of apprehended persons. Having in mind that the visit was carried out during the night, no inspection of the individual files of detained persons was undertaken. The NPM did not come across a detained person during the visit whom they would interview about the treatment towards him/her, the conditions and the rights.

During the visit the NPM was informed by the Shift Leader that the meal for detained persons is refunded by presenting a fiscal account. The NPM concluded that in case of a high alcoholism in persons deprived of liberty, the PS takes them to the Clinique for toxicology, following the issued recommendation for a careful treatment of persons under alcohol and disorder of their medical condition. In such terms, minutes is taken for the right to a doctor where it is stated whether a person asked for a doctor and which are the reasons for apprehension/ detention/ deprivation of liberty.

During the visit it was concluded that the rights are visibly posted in the office of the Shift Leader and they are orally told to the persons deprived of liberty by the responsible official. There are printed flyers in several languages used by those who do not understand Macedonian language. By inspecting the toilet it was concluded that PS Center has removed the objects that may present a risk i.e. there is no mirror or a shower. For a future reference one should take into consideration avoidance of usage of ceramic objects due to their fragility, toilet shells and sinks that are not breakable should be installed.

The inspection concluded that the Registry of apprehended persons and the Registry of persons deprived of liberty clearly distinguish the category of persons. The ground for apprehension/ deprivation of liberty is clearly stated and the chronology of events is respected (the entitled rights of the detained persons are said on a later stage and not at the moment of deprivation of liberty).

The National Preventive Mechanism in its report expressed concerns about the detention of children under the age of 14 for whom there has been a notice issued for a missing person and children begging on the streets. That was concluded by inspecting the Book of daily

events and the Book of apprehended persons. In accordance to the Law on Juvenile Justice persons under the age of 14 cannot be apprehended and there is a need of informing the relevant bodies for undertaking measures for children at risk. In this direction the NPM requested from the Ministry of Internal Affairs to prepare an operative procedure for treatment of children who beg on the streets and missing children in accordance with the Multi-disciplinary protocol for treatment of children on the street in the Republic of Macedonia and respect of children' rights in accordance with the Law on Juvenile Justice.

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.