



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 **16.10.2014** carried out a follow up visit to Prilep Prison. The NPM team was accompanied by external collaborators from the Association of Forensics at the Institute of Forensic Medicine on the basis of a previously signed Memorandum of Cooperation.

This visit follows the regular one which the NPM had in 01.10.2012 on the basis of which it issued a separate report with appropriate conclusions and recommendations submitted to the management of Prilep Prison and the Directorate for Execution of Sanctions at the Ministry of Justice of the Republic of Macedonia. The aim of the follow up visit is to assess the level of implementation of the recommendations from the NPM's separate report in 2012 and is to identify risks with aim of prevention of torture or other cruel, inhuman or degrading treatment or punishment.

The NPM conducted a targeted visit which was focused on several negative conclusions of the separate report from 01.10.2012 and checked the implementation of the given recommendations for improving the situations and elimination of shortcomings and risks that could lead to torture or other cruel, inhuman or degrading treatment or punishment.

During the follow up visit, the NPM team interviewed most of the inmates in all units. The conduct of the security department was concluded positive. Most of the convicted and detained persons were satisfied with the conduct of the security department, the sector for re-socialization and the director of the facility.

The situation with productive activities and working engagement of the persons from the closed unit as well as those in detention remains unchanged. It was concluded that the premises of the detention unit are partially renovated (they were painted), the beds had new mattresses, the inmates use their own linen which seems clean and tidy. The inmates were satisfied from the food they receive.

During the follow up visit, the NPM concluded that the doors of the premises of the reception unit are still broken which may lead to insufficient heating in the rooms during the winter period. By inspecting one room, it was concluded that it has a table with TV. In the reception unit there were persons transferred from the Penitentiary-correctional facility Idrizovo and one newly receipt person. The NPM expressed concerns about the possibility for spreading criminogenic infection. The newly receipt person said that at the reception he was duly checked by a doctor. The examination was made in presence of an official by the security department. In terms of health care and food, the persons from this unit do not have complaints.

It was concluded that the room for lawyers and family visits is fully renovated. The lockers where the personnel keep its stuff were removed from this room and now it is used only for meetings with lawyers and families. The metal bars are also removed. The room is

decorated in such way that it has a wall with openings so that the persons deprived of liberty can communicate with their families or lawyers.

During the follow up visits the NPM concluded no changes in terms of food serving and food consuming. The inmates still consume the food in the premises where they sleep and where they do their hygienic and physiological needs.

The prison does not have an employed doctor. The former one left for another medical institution at the end of September 2014, while as the nurse is not employed.

In the sick bay there is only a desk, a bed for examination and a separate closet where the medical documents of the convicted persons are being kept. The closet has only shelves. The data confidentiality is still of concern since the sick bay does not have a locked part where these docs would be kept.

During the follow up visit, the NPM concluded that the prison keeps track of complaints and the book of complaints of the inmates. The NPM inspected two books concluding that both of them are kept properly. The book for disciplinary sanctions is kept regularly. For month of October there are 3 disciplinary measures-solitary confinements, each page is printed and signed by the director of the prison. In this evidence no usage of corrector was noted.

In Prilep Prison the educational process is still not in place which, according to the Law on Execution of Sanctions should be organized by the Ministry of Education and Science. This was confirmed during the last visit when no educational process was taking place neither inside nor outside the prison. The NPM stresses that the education is one of the most important issue for a successful re-socialization envisaged with the Law on Execution of Sanctions. In Prilep Prison during the visit there were three persons who have not finished their primary education.

The general conclusion from this visit was that most of the recommendations of the previous report were successfully implemented. One part of them is fully implemented but there is still some which due to financial reasons are not implemented. Also, some of the recommendations fall within the competences of the Ministry of Health i.e. the health care with the latest amendments is within the competences of the public health institutions.

As a result of this follow up visit, the National Preventive Mechanism prepared a report where the situations were duly noted and gave appropriate recommendations to the Directorate for Execution of Sanctions and Prilep Prison.