



Република Македонија
НАРОДЕН ПРАВОБРАНИТЕЛ

Republika e Maqedonisë
AVOKATI I POPULLIT

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

On 14.11.2014 the National Preventive Mechanism carried out an extraordinary visit to the Reception center for foreigners and submitted an Information to the responsible Ministry with aim to undertaking measures that will enable respect of the right to asylum, human treatment of persons during their temporary detention, alternative accommodation for children and women, securing human conditions for other illegal migrants through dislocation of this facility in a facility that will enable required pre-conditions.

On the day of the visit 264 persons, among which 29 women, 19 accompanied minors and 17 unaccompanied minors were detected. The number of persons is above the allowed capacity. The NPM concluded that in this Center the desired standards are not met. The standards of the European Committee for prevention of torture envisage securing adequate equipped premises with furniture which has to be clean and in good condition with sufficient space for those who will be accommodated there. The international standards require persons not to be accommodated in substandard conditions since the conditions can also present a reason for inhuman treatment as per article 3 of ECHR.

During the visit there were complaints about the inhuman treatment towards the illegal migrants, use of force in cases when there is no reason for that. The insufficient quality of food and inadequate clothing suitable for the weather period were stressed as a big problem, having in mind the fact that the heating did not function during the visit.

As it was the case with the first visit, once again it was concluded that the obligatory outdoor promenade in length of one hour, twice a day, is not in place due to fact that the facility itself is not properly fenced and there is no sufficient space for securing this right to everyone accommodated in this Center.

The protection of vulnerable groups in the Center, children and women, continues to be insufficient. The international rules and standards for vulnerable categories clearly provide that only in exceptional cases and only for short period of time a minimum detention of these categories of persons can be considered.

Overcrowded capacities were noted during the visit, even among women and children. No heating is secured nor adequate clothing. Taking into consideration the recommendations issued by the international bodies for protection of children and having in mind the best interest of the child, the accommodation of children should

be in adequate conditions with adequate social, medical and psychological assistance. In addition, the Parliamentary Assembly of the Council of Europe with its Resolution 2020 (2014) from 03.10.2014 recommends prevention of detention and deprivation of liberty for children illegal migrants and application of alternative models for sojourn which will be in accordance to the best interest of the children.