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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

Ombudsman as a National Preventive Mechanism (NPM) carried out a visit to the Prison Tetovo, jointly with external collaborators from the Association of Psychiatrists and the Association of Forensic Medicine on 15.05.2015. This visit was carried out in accordance with its mandate and competencies arising from the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Law on the Ombudsman.

During the visit NPM split in two teams and got insight into the Reception Unit, the Closed and the Open Unit, the detention premises, inspected the records, the Registry of Disciplinary Action, the Registry for conducted searches and reviewed the personal case files along with the medical documentation.

At the time of the visit there were 17 detainees and 83 inmates in the prison, of which 9 were engaged in occupational activities, 8 were on a weekend leave and 4 were on vacation.

2 staff members have been employed recently, but there is still lack of staff in the security service. It was stated that the living conditions are identical as previously and that the prison has no premise for visits so they are carried out in the prison yard. The prison is located in the city and needs to be relocated. Same as previously pointed out, there aren't any workshops or occupational activities implemented in the prison, and neither is provided education. Also, there was no improvement regarding the recommendation previously given to the Directorate for Execution of Sanctions to ameliorate the dining hall by providing a sufficient number of chairs, as well as refurbishment of the TV hall.

Prison inmates have the opportunity to be engaged in occupational activities only outside the Institution, but the Directorate for Execution of Sanctions does not approve that. Out of the total number of convicts 29 were recidivists and 60 were first time offenders.

During the visit the NPM inspected the Detention Unit and met with the detainees. The old premises were dirty and the living conditions were assessed as substandard. Although at the time of the visit the temperature was within the allowable limits (23 degrees Celsius, while the humidity was 50%) the detainees complained that the premises are not heated enough during the winter. Thus they were forced to bring their own blankets in order to get warm.

There were no complaints in terms of their treatment, but the living conditions were assessed as squalid. In the old premises there were neither chairs nor lockers.

Most of the premises have foam mattresses and the call systems (the bells) were damaged. There was also high level of moisture in the walls, some of them had mold and therefore NPM finds it necessary to be regularly painted.

In the new premises of the Detention Unit the living conditions were better, the detainees were satisfied with the services, but they complained on the quality of the food. The floor was covered with laminate, and the beds were newer, but the premises lacked furniture (table, chairs, etc.).

During the visit, no one complained of torture or inhuman treatment. Also the inmates didn't have complaints regarding their treatment by the Department for Resocialization and said they can always talk with them. Most of the complaints were regarding the living conditions and the required relocation of the facility (or building a new one with adequate accommodation capacity as well as premises for conducting individual and group treatment and where they could participate in workshops). The facility shall also have a separate premise for visits, as well as premise for conducting search of the inmates.

The health care is provided by the Health Department which consists of 1 doctor and 1 nurse. There is 24-hour medical help line i.e. doctor on call. All persons are subject to medical examination within 24 hours of the admission to the institution. Most of the detainees stated that they are provided with primary health care, but they lack specialized health care. The detainees also complained on the shortage of medicine, given that most of them procure their own drug therapy by themselves.

NPM issued a special report for the stated conditions including recommendations to the Directorate for Execution of Sanctions and the Director of the Prison in order to overcome the identified weaknesses and eliminate the risks.