



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Committee against Torture

**Information received from North Macedonia on
follow-up to the concluding observations on its
fourth periodic report***

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* The present document is being issued without formal editing.



I. Follow-up information on the concluding observations (CAT/C/MKD/CO/4)

A. Information relating to paragraph 13

1. The provision of resources sufficient to ensure the unimpeded financial and personnel functioning remains one of the key challenges that the Ombudsman's Office, as the National Preventive Mechanism (NPM) has been facing over the past several years. Activities are undertaken with a view to implementing the Convention against Torture, in following with specific obligations the country has to this end under the Optional Protocol to the said Convention.

B. Information relating to paragraph 17 (c)

2. The Administration for the Enforcement of Penal Sanctions conducted an analysis of the current situation of prison staff and current developments in the institutions, as well as of the ratio between members of the prison police, the resocialization sector and convicted individuals. The conclusion was that there is a shortage of prison staff; therefore, it developed a 2025 Plan for the Employment of Prison Staff in August 2024. The plan was submitted to the Ministry of Finance for approval of financial resources for 171 prison staff in total, of whom 83 are to be deployed in the Idrizovo Correctional Facility, 45 in Prison Skopje and the rest in other institutions. On April 10, 2025, the Ministry of Finance granted its approval for new employments – namely, financial resources have been provided, and it is expected that open calls for new employments will be published by mid-2025.

3. The new employments planned at the Idrizovo Correctional Facility will provide a safe environment for both the convicted individuals and the prison staff, while also establishing the normal operation of the institution and an appropriate ratio of convicted individuals and prison staff. This will make room for consideration of the possibility of ending the crisis situation status at the Idrizovo Correctional Facility and engagement of members of the Ministry of Interior and the Ministry of Defense.

4. Additionally, in order to reduce any physical abuse and create a safe environment, the Director of the Administration for the Enforcement of Penal Sanctions adopted the 2025 Annual Training Plan and, as from May 5, 2025, mandatory training for all prison staff will begin on several topics, including specialized training for employees in the Resocialization Sector, as follows:

- A motivational interview;
- A general cognitive-behavioral program for the treatment of convicted individuals;
- Training of the Professional Team from the Reception Departments in the Penitentiary Institutions;
- Training of the staff at the Tetovo Correctional Facility on the application of special treatment programs;
- Training on the treatment of long-term and sex offenders;
- Training on the treatment of female prisoners;
- Training on working with violent and radicalized convicted individuals;
- Specialized training for prison police officers;
- Dynamic security;
- Burn-out (work exhaustion syndrome, specifically for Prison Police);
- Training on the work of the Prison Police Intervention Unit in penal institutions;
- Training on the work and organization of the Prison Intelligence Units;
- Training on checking and scanning shipments in penal and correctional institutions.

5. In addition, based on the Annual Program and Annual Plan for 2025, initial training for newly employed persons at the Training Center in the Idrizovo Correctional Facility will be delivered by trainers from among the employees in the prison system, which represents great progress and advancement for the Macedonian prison system in the area of training.

C. Information relating to paragraph 19 (a)

6. The external oversight mechanism was established in 2018, following the amendments to the Law on Internal Affairs, the Law on the Police, the Law on the Ombudsman, the Law on Courts, and the Law on the Public Prosecutor's Office.

7. These legislative amendments established the following: 1) A specialized Unit at the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption (hereinafter: the Unit), tasked with the investigation and prosecution of criminal offences committed by persons having police authorities and by members of the prison police; 2) A special Unit at the First Instance Criminal Court Skopje I, designated to adjudicate such cases; and 3) A mechanism for civilian oversight at the Ombudsman's Office.

8. The Unit has the mandate to take actions with respect to:

- All criminal offences committed by persons having police authorities and by members of the prison police in the course of performing their official duties; and
- Criminal offences committed by the aforementioned persons outside the performance of their official duties involving the use of force or means of coercion, where such conduct has had the consequence of causing death, grievous bodily injury, bodily injury, unlawful deprivation of freedom, torture, or other cruel, inhuman or degrading treatment or punishment, provided that *ex officio* prosecution is prescribed under a specific law.

9. The Department keeps two registers: one register for cases against known perpetrators who are persons having police authorities, the register is designated as COPS; and another register for cases in which there are reasonable suspicions that the offences have been committed by persons having police authorities.

10. According to data provided by the Unit: In the course of 2023, the COPS register recorded three newly reported individuals as perpetrators of the criminal offence under Article 142: Torture, and actions were also undertaken against three individuals reported in the previous period. Following the actions undertaken and the collection of relevant evidence by the public prosecutors, decisions to dismiss the charges were issued in respect of four individuals, while proceedings remained pending against two individuals.

11. During the reporting period, an investigation instituted in the previous period was conducted in relation to two individuals, which was subsequently discontinued by an order for termination of the investigation.

12. In the course of 2024, the COPS register recorded two newly reported individuals as perpetrators of the criminal offence of Torture, and actions were undertaken against one individual reported in the previous period. In respect of these three individuals, actions are still being undertaken by public prosecutors for the purpose of collecting relevant evidence.

13. In 2023, the COPS register recorded eighty-five newly reported individuals as perpetrators of the criminal offence under Article 143: Ill-Treatment in the Performance of Duties. Together with twenty-three individuals reported in previous periods, public prosecutors at the Unit took action against a total of 108 individuals. Decisions to dismiss the charges were issued in respect of sixty-two reported individuals; indictments were filed against eight individuals; and motions for the issuance of a penal order were submitted against two reported individuals. Furthermore, orders for investigative proceedings were issued against four individuals, and the proceedings are still pending.

14. In the reporting year, proceedings remained pending with respect to twenty-eight individuals.

15. Based on pleas of guilt, alternative measures—suspended sentences—were imposed on six individuals. Following the conduct of the main hearing, a judgment was issued against one individual ordering a prison sentence of six months. Additionally, the alternative measure of suspended sentence was imposed on fifteen individuals, while acquittal judgments were issued in respect of two individuals.

16. In 2024, the COPS register recorded thirty-three newly reported individuals as perpetrators of the criminal offence of Ill-Treatment in the Performance of Duties under Article 143. Together with twenty-eight individuals, proceedings versus whom were carried over from previous periods, public prosecutors at the Unit took action against a total of sixty-one individuals. Decisions to dismiss the charges were issued in respect of ten reported individuals, while motions for the issuance of a penal order were submitted to the competent court in respect of seven individuals. Orders for institution of investigative proceedings were issued respectively for four individuals. In relation to forty individuals, the public prosecutors are undertaking actions for the collection of relevant evidence.

17. In addition to newly instituted investigations against four individuals, investigative proceedings were also conducted against four individuals reported in the previous period. Following the undertaking of investigative actions aimed at collecting relevant evidence, plea bargains were made with two individuals, resulting in the imposition of a prison sentence, while indictments were filed against five individuals. At the end of the reporting period, one investigative proceeding remained pending against one individual.

18. In the reporting year 2024, based on a plea of guilt, an alternative measure—a suspended sentence—was imposed on one individual. Following the conduct of the main hearings, judgments were issued respectively for seven individuals, all of whom were sentenced to alternative measures in the form of suspended sentences. Additionally, acquittal judgments were issued with respect to six individuals.

19. Considering all above stated, the following is emphasized:

- Most of the aforementioned data from the Unit pertains to criminal offences committed prior to the entry into force of the provisions of the Law Amending and Supplementing the Criminal Code (Official Gazette No. 36/23) in February 2023. Pursuant to these amendments, criminal offences under Articles 142 and 143 were fully revised, and the penalties of imprisonment were made more stringent. Specifically, for the predicate form of the offence under Article 142: Torture, a minimum sentence of five years' imprisonment is now prescribed. For the aggravated form of this offence, under paragraph 2, a minimum sentence of eight years' imprisonment is prescribed;
- In proceedings in which a suspended sentence was imposed, the convicted individuals were sentenced to a term of imprisonment; however, it was simultaneously established that the sentence would not be enforced provided that, during a period specified by the court—which may not be less than one year nor exceed five years (probation period)—the convicted person does not commit a new criminal offence; and
- Article 194 of the Law on Internal Affairs stipulates the removal of an employee, envisaging that the employee shall be removed from the workplace and from the Ministry under a written decision, pending the issuance of a decision in disciplinary proceedings instituted against the concerned employee, in cases where criminal proceedings have been instituted against the employee for a criminal offence committed in the course of or in connection with the performance of their official duties. The Law on the Execution of Sanctions has a similar provision regarding the prison police.

20. To monitor the operation of the institutions and prevent corruption and negligent work of members of the prison police, in July 2024, the Director of the Prison Service – together with the officials from the Prison Service – held three coordination meetings with the Ministry of Interior and representatives of the judiciary (investigators in the Public Prosecutor's Office). In addition, he held a meeting with the Minister of Interior and the Prosecutor responsible for the proceedings under Article 91 of the Law on Enforcement of

Penal Sanctions and the Chief Prosecutor for Combating Corruption, specifically on the topic of corruption related to the Penitentiary and Correctional Institutions.

21. From July 2024 to mid-April 2025, a total of 16 extraordinary inspections were carried out in several institutions in order to monitor the work of the penitentiary and correctional institutions. Additionally, in coordination with investigators of the Ministry of Interior working in the Public Prosecutor's Office for Prosecuting Corruption in penal and correctional institutions, the Idrizovo Correctional Institution, Prison Skopje, Prison Strumica, and the Struga Correctional Institution submitted official documents. Proceedings are also underway against members of the prison police from the Idrizovo Correctional Institution, Prison Strumica, the open-type correctional institution Struga, and the Skopje Correctional Institution, and criminal charges have been filed against the former director of Prison Strumica and the Skopje Correctional Institution as well.

22. During 2024, 9 cases were filed against 32 members of the prison police and proceedings are ongoing before the competent Public Prosecutor's Office.

23. In February 2025, based on the supervision carried out by the Administration and submitted documents and evidence of reasonable suspicion of the crime of Abuse of Official Position and Power, charges were filed against the former director and the former commander of Prison Skopje. A procedure was also initiated against 8 members of the prison police from Prison Skopje before the competent Prosecutor's Office; at the request of the court, they were suspended from their positions related to the committed crime of enabling the escape of convicted individuals.

24. Additionally, the Administration for the Enforcement of Penal Sanctions filed criminal charges in April 2025 against 5 (five) members of the prison police from the Shtip Penitentiary with the Public Prosecutor's Office responsible for the proceedings under Article 91 of the Law on Enforcement of Penal Sanctions, on grounds of reasonable suspicion of the accused having committed the crime of negligent work and exceedance of powers.

25. During 2024, a total of 100 disciplinary proceedings were conducted against members of the prison police for disciplinary offenses committed during their work on various grounds, but were not related to excessive use of force by members of the prison police.

26. In terms of detecting cases of excessive use of force by members of the prison police, no such cases have been reported by convicted individuals in the past period. Mainly, members of the prison police use means of coercion, most often Separation, as a means of coercion in cases of incidents or mutual disputes between convicted individuals. A Standard Operating Procedure with a Report on the use of means of coercion is developed in accordance with the Law on Enforcement of Penal Sanctions and the by-law. The Administration for the Enforcement of Penal Sanctions maintains regular records of the SOPs submitted, which are then checked during the supervision in institutions carried out by officials from the Prison Service.

27. In the course of 2024, a total of 42 Standard Operating Protocols for the use of means of coercion by members of the prison police were submitted by the institutions. Of those, 15 SOPs are related to the use of physical force and restraint within the framework of the justified use of proportionate force in the operations of members of the prison police.

28. The members of the prison police apply all means of coercion legally and justifiably.

D. Information relating to paragraph 27 (c)

29. In October 2024, an Action plan for mental health of child and adolescent has been adopted by the Government. The main strategic goals of Action plan are following:

Evidence-based assessment and diagnosis rather than automatic approaches

30. The Action Plan envisages the provision, adaptation, and training for the application of modern diagnostic tools for work with children and adolescents, which is of key

importance for a proper and individualized assessment, rather than employing automated medical interventions.

Development of individualized treatments using standardized guidelines

31. A working group has been established tasked with the development and updating of clinical guidelines and protocols for screening, diagnosis, and treatment, centred on international standards (WHO, UNICEF), including referral algorithms across all levels of the healthcare system.

Raising awareness among children regarding available treatments

32. Despite the fact that it is not explicitly envisaged as a measure, the child friendly approach embedded in the Plan requires the active involvement of children and their guardians in decision-making processes, which constitutes part of the broader cultural shift prompted with the Plan.

Discontinuation of automatic medical and coercive interventions

33. The provision of trainings, based on the WHO mhGAP programme for healthcare professionals, and the integration of such content into the medical education curriculum promote a holistic approach to mental health. This entails recognition and support prior to the automatic administration of pharmacological treatment, while particularly focusing on primary healthcare as the first point of support.

34. This helps set up a system which replaces the approach of automatic medical and, at times, coercive interventions with a personalized, ethical, and informed model of supporting children with mental disorders, including those in contact with the justice system.

35. With regard to this issue, the management of the Tetovo Primary Health Center held a coordination meeting with the Director of the Tetovo Health Center, in order to establish cooperation by signing a memorandum of cooperation with the Department of Psychiatry at the Mother Teresa University Clinic, aimed at ensuring the provision of appropriate psychiatric assistance to children by hiring a child and youth psychiatrist. However, due to the lack of such a profile of doctor, the memorandum of cooperation has not been signed yet.
