

**ADVANCE QUESTIONS TO THE FORMER YUGOSLAV REPUBLIC OF
MACEDONIA**

CZECH REPUBLIC

- While welcoming the fact that the Former Yugoslav Republic Macedonia has recently signed the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, we would like to ask what the current developments are in the establishment of a national preventive mechanism according to the OP CAT.
- How does the Government of the Former Yugoslav Republic of Macedonia address the human rights situation of persons belonging to ethnic minorities?
- Has the Government of the Former Yugoslav Republic of Macedonia considered establishment of a national human rights institution?
- Can you tell us with regard to the *Sector for Equal Opportunities of Women and Men*, established in March 2007, what laws, or measures have been implemented by this Sector in keeping with its mandate?
- How many members of the police force are from minority communities, in particular, from ethnic Albanian, or Roma communities? Have there been any measures to ensure that there is integration and participation at law enforcement sectors?
- The national report indicates that there has been a focus on the training of police officers in the area of human rights. Can you elaborate on what measures have been taken in this regard?

GERMANY

- Documentations of the UN and NGO Stakeholders report on ill-treatment and violence of suspects by the police during arrest, interrogation or detention in police custody. Germany would like to know which efforts the Former Yugoslav Republic Macedonia makes to improve this alarming situation.
- Although progress has been made with regard to adapting the legislative and institutional framework in order to overcome ethnic conflicts and to improve the situation of minorities, tangible inter-ethnic tensions linked with intolerance and social discrimination against minorities still exist according to reports of the UN and NGO Stakeholders.
What measures does the Former Yugoslav Republic Macedonia envisage to further consolidate inter-ethnic coexistence, and in particular, to promote the level of representation and integration of ethnic groups in society?

SWEDEN

- Sweden welcomes the efforts made by the Government of the Former Yugoslav Republic of Macedonia to combat torture and other ill-treatments. These efforts included, inter alia, the amendments in the Criminal Code in 2004 and the incorporation of the crime of torture in domestic legislation. In its conclusions from its latest consideration of the Former Yugoslav Republic of Macedonia in 2008, the Committee against Torture (CAT) expressed, however, its concern about allegations of torture or cruel, inhuman or degrading treatment or punishment committed by law enforcement personnel and notes with concern a lack of prompt and effective investigations and prosecutions in this respect. Also civil society organizations have continued to report on cases of torture and ill-treatment, including during arrest and detention.

- What further measures will the Government of Former Yugoslav Republic Macedonia take to ensure the well-being of prisoners and detainees in compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and other international standards?

- The Committee on the Elimination of Discrimination against Women (CEDAW) in 2006 and the Committee against Torture (CAT) in 2008 expressed concern over the persistence in Former Yugoslav Republic Macedonia of trafficking of women and girls, the exploitation of prostitution and the lack of measures aimed at rehabilitating women victims of trafficking. CEDAW called on the Government to take all appropriate measures to suppress the exploitation of prostitution in the country.

- Could the Government of Former Yugoslav Republic Macedonia elaborate on the measures it is taking to combat trafficking of women and girls?

THE NETHERLANDS

- The constitution provides for an independent judiciary. However, there are reports that pressure from the government and from political parties, as well as intimidation and corruption influenced the judicial branch. Some judicial officials accused the government of using its budgetary authority and modest allocations to the court system as instruments to exert control over the judiciary. Furthermore, the implementation of a number of judicial reform laws enacted in 2006 to enhance the independence and efficiency of the judiciary was delayed, resulting according to reports in reduced efficiency of the judiciary. There are also other reports that indicate that the appointment procedure of judges and public prosecutors, including for the appellate and supreme courts, have been subject to political interference. Which measures does the Government of the Former Yugoslav Republic of Macedonia plan to undertake to improve the independence

and efficiency of the judiciary, including both the public prosecutors as well as the courts?

- Domestic and other violence against women and children is a persistent and common problem. Reports indicate an increase in victims of domestic violence, including child abuse. Cultural norms, including victims' concern over possible shame to the family, discouraged the reporting of violence against women and children, and victims of domestic violence rarely filed criminal charges. Although the law specifically criminalizes domestic violence and prescribes substantial punishments for violators, there are reports that the authorities rarely applied the law in practice and that the requirements for proof were more stringent than for other violent crimes. What does the Government of the Former Yugoslav Republic of Macedonia plan to do to improve early detection and prevention of domestic violence against women and children, including sexual abuse or harassment?
- Significant problems were noted by international observers with regard to prison conditions, including poor hygienic conditions and medical care, inadequate state funding and staffing, and overcrowding, including at the Skopje detention center. In the pretrial detention facility in Skopje, juveniles and adults shared the same common spaces. On November 4, the Council of Europe's Committee for the Prevention of Torture (CPT) published a report on its June 30 to July 3 visit to the country's prison and detention facilities. The report criticized the country's lack of progress in addressing previous CPT concerns, such as the use of chains and insufficient supervision of inmates, and characterized the treatment in Idrizovo prison as "inhuman and degrading." Is the Government of the Former Yugoslav Republic of Macedonia willing to make a thorough analysis of the situation in the prison and detention centres and make this analysis publicly available? Is the government willing to include mechanisms for internal control of the prison guards in the rules and regulations of the prisons and detention centres?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- We welcome that statement that persons belonging to the communities have the right to freely, express, foster and develop their own identity and the identity of the communities. Could you provide some more detail on how the authorities are ensuring that this does not challenge the inclusive, multi-cultural nature of Former Yugoslav Republic Macedonia, particularly given the problems ethnic shifts have created in schools in eg: Struga?
- What is the government doing to ensure that current abundance of legislation is streamlined, better understood and properly implemented?

- We welcome the introduction of the 2006 Law on Free Access to information. Could you provide some more detail on how the authorities are ensuring that this law is being properly implemented and that the Commission for Free Access to Information is properly empowered to take action, including through legal means?
- Juveniles continue to be housed in adult prisons. We understand that the government has plans to build a new juvenile detention facility. How are these plans progressing and what measures have been put in place to ensure appropriate re-socialisation programmes for young offenders are included?
- We recognise that national legislation now provides for the compulsory education of Roma children. Could you provide some more detail on how the authorities are addressing the high drop out rate of Roma children, often due to poor economic circumstances?
- We welcome improvements made in addressing the rights of the disabled people through the opening of new day care centres countrywide. Could you provide some more detail on how the authorities are ensuring that these centres are accessible to their clients and that the staff who operate them are properly qualified and trained?
