

## **Response**

**of the Government of  
“the former Yugoslav Republic of Macedonia”  
to the report of the European Committee  
for the Prevention of Torture and Inhuman  
or Degrading Treatment or Punishment (CPT)  
on its visit to “the former Yugoslav Republic of  
Macedonia”**

**from 21 to 24 November 2011**

The Government of “the former Yugoslav Republic of Macedonia” has requested the publication of this response. The report of the CPT on its November 2011 visit to “the former Yugoslav Republic of Macedonia” is set out in document CPT/Inf (2012) 38.



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*Response of the Government of the Republic of Macedonia to the comments contained in paragraphs 24 and 25 of the Report drawn up by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) following its visit from 21 to 24 November 2011*

**Paragraphs 24 and 25**

Having received the recommendations of the CPT contained in paragraphs 24 and 25 of their Report drawn up following the visit conducted from 21 to 24 November 2011, the Ministry of Justice - Directorate for execution of sanctions, has immediately acted upon them.

Consequently the separation unit in the Idrizovo Prison has been closed and is no longer in use (paragraph 25).

As regards the so-called in-patient medical unit ("Ambulanta") – Paragraph 24, the wing D of this unit was immediately closed and the sentenced prisoners were moved to other units in the Prison. The other wings of this unit have been cleaned and disinfected and hygiene is continuously maintained at a high level.

In order to reduce the number of sentenced prisoners in the so-called in-patient medical unit ("Ambulanta"), an insight is currently being conducted into the records of sentenced prisoners residing in this unit, after which sentenced prisoners, for whom conditions exist, will be moved to other units in the Idrizovo Prison or other penitentiary institutions.

In order to reduce overcrowding in prisons and create space for sentenced prisoners in accordance with European standards, the Ministry of Justice - Directorate for execution of sanctions makes every effort that activities envisaged under the project "Reconstruction of the penitentiary institutions in the Republic of Macedonia" be on schedule, according to the established deadlines.

Intensive activities are underway to build the Kumanovo Prison, which is expected to be put into operation within 3 months. This will enable 200 sentenced prisoners in the Idrizovo Prison to be moved to the Kumanovo Prison. This will also reduce the number of sentenced prisoners in the Idrizovo Prison and will fully solve the problem of overcrowding in the facility.

The Ministry of Justice-Directorate for execution of sanctions will continue, in the future as well, to undertake measures and activities to improve the general condition both in the Idrizovo Prison and in other penitentiary institutions in the Republic of Macedonia, in order to provide as soon as possible the minimum acceptable standards for accommodation of sentenced prisoners.



**R E S P O N S E**  
**of the Government of the Republic of Macedonia to the Report on the visit carried out by the**  
**European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or**  
**Punishment from 21 to 24 November 2011**

The Government of the Republic of Macedonia, following the visit carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 21 to 24 November 2011, delivers the response to the remarks contained in the Report on the Visit and informs that, in line with the Report's recommendations, it takes measures and activities aimed at improving the situation of the penitentiary system in the Republic of Macedonia.

**Paragraph 7**

With reference to the Committee's request to deliver full information on the progress made in the implementation of the Strategy for Reform of the Penitentiary System, the Government of the Republic of Macedonia hereby informs of the following:

In line with the recommendations by the Committee as to undertaking activities to seek outside assistance for the purpose of improving certain areas of the penitentiary system in the Republic of Macedonia, the implementation of the IPA 2009 Project, which supports the devising of a National Strategy on Development of the Prison System in the Republic of Macedonia, is expected to start. This Strategy will identify the positive and negative aspects of the functioning of the entire penitentiary system and, based on the existent situation, set specific goals and offer real solutions for improving the situation.

**7.1.** Under the First Component of the Strategic Plan of the Directorate for the Execution of Sanctions, which relates to improving conditions and increasing capacities for accommodation of adult and juvenile offenders and upgrading the work premises for staff at the institutions in 2011 and 2012, the Directorate for the Execution of Sanctions has continued undertaking activities aimed to improve accommodation conditions at penitentiaries, which also serve the purpose of approximating with the standards required for better quality conditions for serving prison sentences.

**The Project for Reconstruction of Prisons in the Republic of Macedonia**

The Directorate for the Execution of Sanctions has continued undertaking activities under the Reconstruction of Prisons in the Republic of Macedonia project, which envisages reconstruction, renovation and construction of new facilities at four institutions: the Idrizovo, Skopje and Kumanovo Prisons and the Tetovo Correctional and Educational Institution.

The following activities have been undertaken under this Project in the past period:

The basic projects for construction of the Idrizovo Prison and the Tetovo Correctional and Educational Institution have been set up and the final reports from the expert revision have been received. The documents required for obtaining a permit for construction and reconstruction of facilities in the first stage of construction of the Idrizovo Prison have been submitted to the Ministry of Transport and Communications.

The construction of facilities at the Kumanovo Prison is drawing to an end and the establishment is expected to be put into operation by November 2012.

Concerning the activities relating to the Skopje Prison, the Municipality of Šuto Orizari has adopted a Detailed Urban Plan for the Skopje Prison. Furthermore, with support from technical assistance experts, a Project Programme for Preparing Technical Documents for Construction and Reconstruction of Facilities at the Skopje Prison was developed in March 2012.

**7.2.** Aiming to enhance the process of execution of sanctions, the legislation governing the execution of sanctions was amended in 2011 to improve the material and security conditions and control mechanisms at penitentiaries in line with European standards. To that end, the following acts have been adopted and applied in all penitentiaries:

- Rulebook on Classification, Allocation and Translocation of Inmates at Penitentiaries (Official Gazette of the Republic of Macedonia 173/2011);
- Rulebook on the Manner of Exercising Privileges by Inmates (Official Gazette of the Republic of Macedonia 173/2011);
- Guidelines for Holding Conference Meetings, which entered into force on 23 December 2011;
- Guidelines for Inclusion of the Security Sector in the Resettlement Process, which entered into force on 23 December 2011;
- Amendments and supplements have been adopted to the Rulebook on the Time That the Inmate Should Spend and the Conditions That the Inmate Should Meet in an Institution of a Certain Type or in an Appropriate Unit of an Institution of General Type, which entered into force on 23 December 2011;
- Amendments and supplements have been adopted to the Guidelines on Establishing the Types and Manners of Treatment of Inmates (Official Gazette of the Republic of Macedonia 173/2011);
- Amendments and supplements have been adopted to the Guidelines on the Conditions, Manner and Procedure for Labour Engagement of Inmates Outside of the Institution, which entered into force on 23 December 2011;
- An instrument has been developed for inmate risk assessment, which makes a general assessment of recidivism risk and identifies the needs of inmates during the serving of a prison sentence. The risk assessment started in November 2011.
- A handbook designed for members of expert teams at reception units at the institutions and ensuring proper application of the risk assessment instrument has been produced.
- Uniform House Rules for all institutions, which entered into force in January 2012.

At the same time, for the purpose of adopting the new criteria and methods for treatment of inmates, the following have been amended:

- Rulebook on the Time That the Inmate Should Spend and the Conditions That the Inmate Should Meet in an Institution of a Certain Type or in an Appropriate Unit of an Institution of General Type,
- Guidelines on Establishing the Types and Manners of Treatment of Inmates, and
- Guidelines on the Conditions, Manner and Procedure for Labour Engagement of Inmates Outside of the Institution.

All secondary legislation listed above has been drafted by special task forces composed of representatives of the Directorate for the Execution of Sanctions and the penitentiaries with a view to establish uniform criteria for treatment of inmates, regardless of the institution in which they serve their prison sentences, and to resolve specific problems that the resettlement sector faces in its daily operation.

The adoption of these acts improved the efficiency of staff involved in the treatment of inmates at penitentiaries and their application significantly improved the manner of planning and implementing the treatment of inmates, thus serving the purpose of successful inclusion of inmates in the community upon being discharged from prison, which would in turn result in reducing recidivism in the Republic of Macedonia.

**7.3.** Funds have been allocated under the IPA 2010 project, which should start at the end of 2012, to establish a special probation service, which will operate as a sector at the Directorate for the Execution of Sanctions. This project will include drafting the Law on Probation and establishing the probation service in the Republic of Macedonia.

In the period leading up to the IPA 2010 project, the Directorate for the Execution of Sanctions has undertaken numerous activities to facilitate the drafting of the Probation Law and the other planned activities.



In particular, in addition to implementing the Project, under which a comparative analysis/study of the existent legislation governing the probation services and their operation in the countries of the region and a probation service feasibility study in the Republic of Macedonia have been conducted, about which the Committee has already been informed, a Strategy for Development of the Probation Service in the Republic of Macedonia and an assessment of the fiscal implication for its implementation are being prepared with support from the British Embassy. The Strategy will specify the steps for setting up the probation service, which will provide a solid basis for the further development of the probation service in the Republic of Macedonia. The Strategy is being devised by Macedonian and British probation experts and a special task force has been formed for support in the development of the Strategy, composed of competent representatives of all institutions involved in the process of applying alternative forms (the Directorate for the Execution of Sanctions, the Skopje 1 First Instance Court, the Skopje Basic Public Prosecutor's Office, the Ministry of the Interior, the Ministry of Labour and Social Policy, the Social Work Institute and the Academy for Training of Judges and Public Prosecutors).

The Strategy is expected to be completed by the end of 2012, prior to the start of the IPA 2010 Project.

The Directorate for the Execution of Sanctions has submitted an application for membership of the European Organisation for Probation and has been a fully-fledged member of this organisation since 1 January 2012.

### **Paragraph 8**

Regarding the recommendation to develop a professional management approach within prisons, the Directorate for the Execution of Sanctions has undertaken a series of activities aimed to strengthen the managerial staff, with special attention to middle management at all penitentiaries. In particular, taking into account the need to improve the managerial skills of the managerial personnel at prisons, under the project Capacity Building of the Middle Management of Prisons, which was carried out in 2011, the Directorate for the Execution of Sanctions, in cooperation with the Dutch Embassy, organised, among other activities, special trainings for the middle management at all prisons in a number of areas, including operation coordination and control, teaching, stress management etc.

Furthermore, 17 members of managerial staff at prisons and educational and correctional institutions also underwent training for improving managerial skills and human resource management at the institutions in the period from 19 to 22 June 2011.

At the same time, taking into consideration the need to further strengthen the capacities of managerial staff at prisons, upon request by the Directorate for the Execution of Sanctions, funds have been earmarked under the IPA 2009 Project for providing special trainings in management to the directors and middle management of the institutions.

### **Paragraphs 9 and 10**

Concerning the recommendations that a clear message be delivered to all prison staff and managers at the Idrizovo Prison that ill-treatment of prisoners is not acceptable, steps are continuously taken at all prisons to ensure that employees respect the working order and discipline. Violations of work rules and cases of malfeasance have been punished severely in the past period.

Disciplinary procedures have been conducted against all employees suspected of using excessive force and, in cases where liability has been established, severe disciplinary actions have been taken, including termination of employment.

Thus, in 2011, disciplinary actions were taken against a total of 11 employees at the Idrizovo Prison, while in the period from January to June 2012, 12 disciplinary actions were taken. Most of the disciplinary actions, including fines and one case of termination of employment, were imposed for neglectful performance of duties and malfeasance.

### **Paragraphs 11 and 12**

Concerning the remark on inter-prisoner violence at the Idrizovo Prison, for the purpose of effectively dealing with violent prisoners, measures have been taken and a special procedure for dealing with violence among prisoners has been established and applied actively at all prisons, including the Idrizovo Prison, since November 2011. This Procedure defines precisely the steps to be undertaken by and the obligations and responsibilities of employees at the security sector for prompt and safe containment of violence among prisoners. Furthermore, the Procedure outlines the procedure that employees at the resettlement sector should follow and their obligations to instruct violent prisoners through discussion, counselling etc.

In respect of the recommendation to devise a strategy to combat inter-prisoner violence, as the Directorate has already informed, activities to resolve this problem, including the development of a Strategy for Preventing Violence in Prisons, will be encompassed in the National Strategy on Development of the Prison System of the Republic of Macedonia, which will be prepared under the IPA 2009 Project.

### **Paragraphs 13, 14, 15, 16 and 19**

With regard to the recommendations on staffing, the Directorate for the Execution of Sanctions keeps a special record of the number of staff at each prison, including the Idrizovo and Skopje Prisons. Taking into account the insufficient numbers of prison staff, appropriate measures have been taken to ensure more efficient deployment of security sector staff at these institutions, increase the number of staff in the day shift and rationalise available staff by ensuring that employees spend their entire working time in units where prisoners are accommodated, thus improving to a great extent the efficiency in the operation of this sector. At the same time, aiming to raise prison staffing levels, the Conclusion of the Government of the Republic of Macedonia tasking the Ministry of Finance to give consent to the filling of vacancies at prisons and educational and correctional institutions created by retirement, termination of employment etc. is still in force.

In addition, female employees at the security sector at the Skopje Prison are deployed in shifts, thus ensuring that a female employee is on duty at any given time from 8.00 to 20.00 and available to process female inmates. For the purpose of improving security at the Skopje Prison and ensuring timely attendance to all visitors at the prison, employees have been deployed at the entry of the establishment, i.e. the number of security sector staff at the prison's entrance gate has been increased.

For the purpose of increasing the number of educators at the Idrizovo Prison, until conditions are created to recruit new employees on a permanent basis, the institution engages volunteer experts and has also engaged a psychologist, thus completing the expert team.

Concerning the employment of Albanian and Romani-speaking educators, as the Directorate has already informed, following the granting of civil servant status to prison staff, according to the Law on Civil Servants institutions are obliged to prepare Annual Plans for Equitable Representation of the Communities, which ensure that equitable representation is respected when recruiting new staff.

The response as to the recommendation to introduce professional management career path in the prison system is contained in Paragraph 8 of this report.

In regard of the recommendation to define the hierarchical relationship between the Director of the Directorate for the Execution of Sanctions and prison directors, the National Strategy on Development of the Prison System will specify the necessary measures for resolving this issue.

### **Paragraph 17**

With reference to the implementation of the Action Plan for Providing Training to Prison Staff, in accordance with the Programme for Mandatory Basic and Continuous Training of Employees at Prisons and Educational and Correctional Institutions, employees at the resettlement sector at the Idrizovo Prison underwent basic training on 17 November 2011 and 2 December 2011. A total of 30 employees at this sector attended the training, which covered a number of topics from the legislation governing the execution of sanctions and the European Prison Rules.

In addition, training sessions have been conducted in 2012, as well; specifically, in the first quarter of 2012, four cycles of intermediate and advanced training of prison staff were completed, including:

- The first training cycle was conducted in January 2012 by instructors who had also been members of the task forces for drafting secondary legislation (guidelines, rulebooks and the Risk Assessment Instrument and Handbook). The trainings were attended by employees at the resettlement and security sectors at all prisons for the purpose of acquiring new skills and successful application of the new secondary legislation.
- The second training cycle was conducted as a two-day workshop in the period from 29 February to 2 March 2012. The workshop was attended by 29 members of the expert teams at the reception units at the establishments.
- The third cycle was conducted in March 2012, spanning 4 working days, and was attended by an average of 25 employees each from the resettlement and security sectors at the Idrizovo Prison. The trainings covered a number of topics aimed to improve employees' motivational interviewing skills and numerous issues related to the practical application of the new secondary legislation (rulebooks and guidelines).
- The fourth cycle was conducted in April 2012, spanning 3 working days, and was attended by an average of 30 employees each from the resettlement and security sectors at the Idrizovo Prison. These trainings related to the areas covered by the ten procedures and protocols governing the conduct of employees at prisons. Among other things, training was also conducted in using various types of communication, which is of great importance for prison staff.

### **Paragraph 18**

In regard of the special intervention unit at the Idrizovo Prison, i.e. the intervention and prisoner escort squad, as the Directorate has already informed, the members of this squad have undergone training in dealing with incidents at the prison. However, taking into account the recommendation of the Committee for training in control and restraint techniques, a special training programme for this intervention squad is being prepared in cooperation with the Ministry of the Interior.

### **Paragraph 20**

For the purpose of improving the screening of all persons entering and leaving the Idrizovo Prison (employees, inmates and visitors), detailed (body and with a metal detector) searches are conducted. Furthermore, a special metal detector door and a special conveyor belt metal detector have been procured and put into operation for detailed searches of persons and effects entering and leaving the prison.

As regards the recommendation to provide prisoners with clear information on decision-making criteria and processes, such as home leave, the House Rules for Prisoners Serving Prison Sentences, which are standardised for all prisons, precisely define all rights, obligations and privileges of prisoners and the manner of making decisions on granting privileges and imposing disciplinary punishment to prisoners.

All prisoners have unimpeded access to the House Rules, a copy of which is displayed in a prominent place at the institution, and any prisoner can receive a copy of the House Rules upon request.

Further, every prisoner has a personal educator, to whom they can direct any inquiry that they may have while serving the prison sentence.

With a view to suppressing the identified potential sources of corruption, the Directorate for the Execution of Sanctions takes, within its competences, measures and activities aimed at prevention of corruption among staff and at detecting and punishing individual cases in cooperation with the bodies competent for fighting forms of organised crime and corruption at prisons.

The steps taken by the Directorate for the Execution of Sanctions are envisaged under the Action Plan for Preventing and Fighting Corruption among Employees at Prisons and Educational and Correctional Institutions, which was adopted in 2009 and ensures continued activities for application of established mechanisms for prevention, control and efficient handling of corrupt behaviour among employees at prisons.

As a particularly important step aimed at coordinated and organised activities to be undertaken by prisons in cases of crimes of corruption, the Directorate for the Execution of Sanctions has prepared Standard Operating Procedures for the Conduct of Civil Servants at the Directorate for the Execution of Sanctions, at Prisons and at Educational and Correctional Institutions in the Republic of Macedonia in Reporting Crimes Related to Corrupt Behaviour, which are actively applied at all prisons.

At the same time, for the needs of the Ministry of the Interior, the Directorate has prepared a uniform letter template and guidelines for completing and sending the letter template, by which prison staff notify the Ministry of the Interior about prisoners who exercise privileges outside of the institution.

The adoption of the new rulebooks, acts and procedures for conduct that entered into force in 2011 is a significant preventive activity aimed to eliminate opportunities for corruption among employees at the institutions. Their application will ensure objective conduct of and prevent malfeasance among staff.

The hotline for reporting corruption, at which corruption at prisons and educational and correctional institutions in the Republic of Macedonia can be reported, is in operation. Regardless of whether the callers are known or anonymous, the Directorate for the Execution of Sanctions processes all reports, i.e. conducts close investigations and interviews the prisoners who have reported the cases, and then takes appropriate steps within its competences.

The Directorate for the Execution of Sanctions cooperates continuously and directly with the Ministry of the Interior in reporting cases of suspected corruption at prisons and educational and correctional institutions and in detecting corruption. Furthermore, prison directors are obliged to report suspected cases of corruption.

A special unit for forensic intelligence at prisons was set up at the Ministry of the Interior in 2011. It is tasked with gathering information about crimes that have been committed or are conspired to be committed, including crimes involving corruption. Staff at this unit are constantly present at prisons and interview prisoners on a tip-off or on their own initiative. Upon receiving information from prisoners, the Ministry of the Interior takes appropriate measures and activities to establish the situation and the substantiation of the information.

#### **Paragraphs 24 and 25**

Concerning the recommendations contained in paragraphs 24 and 25, the Committee has been duly informed in the set time frame. Furthermore, ward G at the so-called medical unit (Infirmary) has been fully renovated and painted, new communal bathroom and toilet have been put into operation and disinfection and rat and insect extermination have been carried out in the entire facility, which has considerably improved conditions at the unit.

### **Paragraphs 26 and 27**

For the purpose of improving accommodation conditions at the Idrizovo Prison, in addition to renovating the Infirmary at the establishment, the second wing, with a capacity of 140 inmates, had been completely renovated and was put into operation in June 2012. With regard to improving hygiene at the Idrizovo Prison, in addition to undertaking considerably more frequent activities in terms of disinfection and rat and insect extermination in living areas in the past period, the Procedure for Hygiene Inspection at the Institution has been actively applied since November 2011. Under this Procedure, a special weekly schedule is designed at all prisons for the persons responsible for maintaining hygiene and a special Record Book on Hygiene at the Institution, containing details about maintaining personal hygiene of prisoners, accommodation area (bedroom) hygiene, the hygiene of toilets, bathrooms and other communal rooms and the hygiene in the prison yard, is kept and checked on a daily basis. Furthermore, if it is established that an inmate has not maintained hygiene at a satisfactory level for three consecutive inspections, measures are taken to instruct the inmate through discussion and counselling with the personal educator.

In order to ensure that the measures and activities for maintenance of hygiene at institutions are applied, the Directorate for the Execution of Sanctions conducts regular supervision and inspection and produces recommendations for remedying shortcomings identified during inspections. The application of this Procedure has considerably improved hygiene at the institution, which is expected to be maintained at a proper level.

With regard to the recommendation to take immediate steps to devise a phased programme to reduce occupancy levels at the Idrizovo Prison, the Directorate for the Execution of Sanctions continuously follows the situation with the number of prisoners and its analysis shows that all prisons are facing overcrowding at present, which is further compounded by the fact that in the first quarter of 2012 alone the number of prisoners who started serving prison sentences is bigger than the number of prisoners discharged from prison by 145.

Taking into account the established situation, the Directorate for the Execution of Sanctions has devised a plan to reduce overcrowding at the Idrizovo Prison. Specifically, considering the fact that the other prisons are also facing overcrowding, the priority of the Directorate is to complete the construction of the Kumanovo Prison, which according to the work plan should be put into operation by November 2012. In order to reduce overcrowding at the Idrizovo Prison, under the plan of the Directorate, 200 inmates serving prison sentences at this establishment will be transferred to the Kumanovo Prison, the construction of which has entered the final stage, which will substantially reduce overcrowding at the Idrizovo Prison.

### **Paragraph 28**

In respect of the remarks concerning insufficient funding for food for prisoners at the Idrizovo Prison, the budget of the prisons is structured in accordance with the available institution budget funds. Aiming to improve prisoner diet, the Directorate for the Execution of Sanctions and the Idrizovo Prison take measures to rationalise food preparation expenses by devising recipes that ensure maximum usage of available food resources and improve prisoner diet quality. Furthermore, the Directorate for the Execution of Sanctions and the Idrizovo Prison are working on creating conditions for maximum utilisation of agricultural and animal husbandry capacities of the institution, which will not only enable using the products in the prisoner diet but will also reduce the costs for food for prisoners.

As regards the supervision of the official menu and the inspection of the hygiene of the kitchen and the transportation of food to the accommodation blocks, the physician at the Idrizovo Prison monitors the quality of the food on a daily basis. The physician checks the caloric value of the meals on the prisoners' menu at the Idrizovo Prison, which is planned for a period of 15 days. In addition, before serving the main meal to the prisoners, it is inspected by the physician, who performs an organoleptic assessment of the meal (in terms of taste, smell etc.) and enters his conclusions in a special Record Book.

As to inspecting kitchen hygiene, the aforesaid Procedure for Hygiene Inspection at the Institution, which covers kitchen and dining facilities for prisoners, is applied.

### **Paragraph 29**

As part of the prisoner resettlement process, the Directorate for the Execution of Sanctions and the Idrizovo Prison take measures, in line with the capacities at the institution, to organise cultural events and sporting and recreational activities for prisoners, such as six-a-side football, chess and table tennis tournaments etc. Activities are also undertaken in the women's unit at the Idrizovo Prison, such as the visit by a distinguished female writer, who donated books to the library of the establishment, and the play staged on the presentation of the book entitled "Women's Prison". Furthermore, two workshops, one upon Easter and one upon New Year, have been held at the Women's Unit. The workshops consisted of making ornaments, drawing, knitting and making ikebana arrangements by female prisoners, who then donated their creations to the primary schools for children with special needs.

### **Paragraphs 30 and 31**

With respect to the recommendation to improve material conditions in the remand unit of the Skopje Prison, the competent authorities at the Skopje Prison have created conditions to provide every inmate with his/her own bed.

Furthermore, under previously developed plan and schedule, all prisoner accommodation areas in wings C, G and D of the remand unit at the prison have been painted, whereas the leaking parts of the ceiling in wing C noted during the visit of the Committee have been repaired. In addition, all corridors in the abovementioned wings have also been painted. As regards the call bells, all call bells in both the old and the new premises of the remand unit of the prison are fully functional and in operation.

With reference to the noted poor hygiene in the remand unit at the Skopje Prison, according to Article 20 of the Rulebook on Pre-Trial Detention at Prison Remand Units, remand prisoners are obliged to maintain hygiene in the rooms on a daily basis, while the Skopje Prison regularly provides them with appropriate quantities of hygiene products. Furthermore, in accordance with Article 19 Paragraph 3 of the said Rulebook and the bathing schedule, male remand prisoners are allowed to bath at least once a week and female remand prisoners are allowed to bath at least twice a week.

In addition, prison officers regularly inspect hygiene in prisoner accommodation areas and, if it is established that a remand prisoner does not maintain hygiene, enter a note in the official records, whereas the director of the prison, in accordance with Article 45 Paragraph 2 of the Rulebook, notifies the situation to the court before which the proceeding is conducted, which is competent to take further steps.

### **Paragraphs 32 and 33**

With regard to the recommendation to provide educational, cultural and sports activities for remand prisoners, the Skopje and Tetovo Prisons have compiled lists of all the books in their respective libraries, which have been distributed to all remand areas, and remand prisoners have access to the books and opportunities to read them while on remand. The Skopje Prison also houses a table tennis table, which remand prisoners can use for recreation.

In respect of the right of remand prisoners to daily outdoor exercise, all remand prisoners at prisons that comprise remand units are offered outdoor exercise of at least 2 hours a day. Only in exceptional cases, when a two-hour outdoor exercise cannot be offered for objective reasons, such as the large number of remand prisoners and the overcrowding at remand units of prisons, remand prisoners are offered outdoor exercise of at least one hour a day, in line with European standards, until proper conditions are created.

As to the issue of granting permits to visit remand prisoners, allowing visits to remand prisoners is not within the competences of the Directorate for the Execution of Sanctions or the prisons; the decision to allow a visit to a remand prisoner is made by the competent investigative judge.

The duration of visits to remand prisoners at the Skopje Prison is always within the limit of 30 to 60 minutes, as set under the Rulebook on Pre-Trial Detention at Prison Remand Units.

With reference to the request for details of the number of juveniles currently being held on remand at the Skopje Prison, at present (as of 17 July 2012) there are no juveniles held on remand at the prison.

### **Paragraph 36**

Concerning the remark about the 16-year-old juvenile who was held on remand at the Skopje Prison at the time of the visit of the Committee and had not been permitted to telephone his mother and with respect to the recommendation to take steps to ensure that all juveniles held on remand are afforded the possibility to contact their families from the moment they are admitted to prison, the permit for a remand prisoner to contact the outside world, including his/her family, is granted by the competent court before which the proceeding is conducted, i.e. it is not within the competences of the prisons. Remand prisoners can only make telephone calls to previously approved telephone numbers and upon permit by the competent court.

### **Paragraphs 37–44**

Concerning the Strategy for Health Care of Prisoners, the final text of the Strategy has not been adopted. It will be delivered to the Committee upon its adoption.

In order to overcome the problem with the insufficient medical staff at the Idrizovo Prison, a detailed assessment of the needs in this area was conducted and the number of medical staff at the establishment was increased in the past period. In particular, in addition to the five doctors and the nurse employed regularly, a further two doctors and four nurses were recruited on a voluntary basis, while a procedure to employ two more nurses is ongoing. The dentist is still employed full-time at the Idrizovo Prison.

Considering the fact that the number of medical staff at the Idrizovo Prison has been increased considerably, the recommendation of the Committee has been fully implemented and prisoners at the institution no longer perform nursing duties.

Regarding medical staffing at the Skopje Prison, two general practitioners, a dentist and two nurses are employed full-time at the health care sector, while a psychiatrist, who examines remand and sentenced prisoners twice a week, is also engaged. At present, the number of doctors is sufficient to accommodate the needs of sentenced and remand prisoners at the establishment. As to the requirement to recruit additional nurses, activities are in progress to engage a volunteer nurse.

Concerning the recommendation that the national authorities remind all prison health care staff that every newly-arrived prisoner should be examined upon admission and that any allegations of ill-treatment and signs of injury should be fully recorded, in order to ensure that the procedure for medical examination of prisoners upon admission is fully followed, the Procedure for Admission and the Procedure for Medical Examination of Prisoners, which provide clear guidelines to medical staff at all prisons on their conduct and ensure that the regulations and rules relating to the carrying out of medical examination and providing health care are fully abided by and that confidentiality of medical data of prisoners is respected, have been actively applied at all prisons since November 2011.

Under the said Procedures, it is mandatory that the prisoner be interviewed and a complete medical examination be conducted within 24 hours of admission, including obtaining information from the prisoner, taking personal and family medical history, conducting physical examination, measuring weight and height and recording the health status of the prisoner at the time of the admission. A medical file is opened for every prisoner upon admission and the medical data are recorded therein.

In addition, all Procedures and Protocols also contain schematic diagrams which represent the steps that need to be followed to ensure proper application of the procedures and are displayed in a prominent place in the work premises of all employees at the institutions, including infirmaries.

#### **Paragraph 44**

Concerning the treatment of prisoners addicted to drugs or other psychotropic substances who serve prison sentences at the Idrizovo Prison, aiming to overcome the problem with the methadone therapy, which is the only therapy offered at the Idrizovo Prison, in accordance with its work plan the Directorate has upgraded the Programme for Treatment of Inmates Who Abuse Drugs and Psychotropic Substances. The Programme has been upgraded with support from experts under the soft component of the Project for Reconstruction of Prisons in the Republic of Macedonia and a handbook for its application has also been produced. The Project for Reconstruction of Prisons in the Republic of Macedonia, which includes constructing new facilities for the Idrizovo Prison, envisages a special drug-free unit, which will also create spatial conditions in line with the European standards for treatment of this vulnerable category of prisoners.

#### **Paragraphs 45 and 46**

Prisoners undergoing a disciplinary punishment of solitary confinement are offered the required minimum of one hour of outdoor exercise and are given access to a shower at all institutions. Furthermore, maximum efforts are invested to equip the premises where prisoners undergo disciplinary punishment of solitary confinement in line with existent standards.

The Rules for Conducting Disciplinary Procedures for Inmates, as the Directorate has already informed, are precisely defined in the uniform House Rules, which entered into force in January 2012. In drafting the House Rules, the Directorate for the Execution of Sanctions had taken into consideration all recommendations by the Committee to incorporate specific provisions related to conducting disciplinary procedures against prisoners. Maintaining order and discipline at the institution is regulated by Articles 47 to 61 of the House Rules, whereas Articles 53 to 58 provide for the procedure to establish disciplinary liability of and imposing disciplinary punishments on prisoners. On the Committee's request, the Directorate for the Execution of Sanctions herewith encloses a copy of the House Rules for Prisoners Serving Prison Sentences at Prisons.

Following the entry into force of the House Rules, the entire disciplinary procedures against prisoners at all prisons are conducted in accordance with the new rules.

#### **Paragraph 47**

Prison doctors visit prisoners undergoing disciplinary punishment of solitary confinement every day and regularly report their health status to the director of the institution, who is the only one that can make a decision to terminate the disciplinary punishment of solitary confinement or commute it to a more lenient action.

#### **Paragraph 48**

The right of newly admitted prisoners to contact the outside world during the admission period is guaranteed by the uniform House Rules for Prisoners Serving Prison Sentences and their entry into force ensures equal treatment of prisoners at all prisons. In this regard, upon their request, all prisoners are allowed to telephone their families in the admission period. Furthermore, the right to receive visits during the admission period is guaranteed to all prisoners, as specified by Article 64 of the House Rules, and all prisons without exception allow visits to all newly admitted prisoners.



As to the remarks and recommendations concerning the visits to remand and sentenced prisoners at the Skopje Prison, due care is taken to ensure that the duration of visits to remand prisoners is within the limit of 30 to 60 minutes set by the Rulebook on Pre-Trial Detention at Prison Remand Units. Furthermore, the duration of visits to sentenced prisoners, which may not exceed 60 minutes, is also respected.

In order to overcome visit-related problems that the institutions have faced, the Procedure for Conducting Visits to Prisoners, which ensures that the privacy and dignity of visitors and prisoners are respected, has been developed and applied.

### **Paragraphs 52 and 53**

Concerning the remarks about the heating system at the unit for enhanced re-educational influence at the Tetovo Educational and Correctional Institution, which accommodates juveniles and which was not in operation at the time of the visit of the CPT due to technical problems, the problem was solved immediately by installing wood heating units in the premises of this unit.

As to the other recommendations concerning the functioning of the Tetovo Educational and Correctional Institution, until the new premises of the institution are put into operation the Directorate for the Execution of Sanctions is doing everything within its power and is investing maximum efforts to improve the present situation at the institution.