



ЕЛИМИНАЦИЈА НА МАЧЕЊЕТО
И НЕЧОВЕЧКОТО ПОСТАПУВАЊЕ
ВО ЗАТВОРИТЕ И УСТАНОВИТЕ
ЗА ЛИШУВАЊЕ ОД СЛОБОДА

REPORT FROM CONSECUTIVE VISITS ON THE SITUATION AND CONDITIONS IN THE PENITENTIARY-CORRECTIONAL INSTITUTIONS IN THE REPUBLIC OF NORTH MACEDONIA IN JULY 2021

SKOPJE, SEPTEMBER 2021

Наслов на оригиналот:

ИЗВЕШТАЈ ОД ПОСЛЕДОВАТЕЛНИ ПОСЕТИ ЗА СОСТОЈБАТА И УСЛОВИТЕ ВО
КАЗНЕНО-ПОПРАВНИТЕ УСТАНОВИ ВО РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА
ВО ЈУЛИ 2021

Publisher: Helsinki Committee for Human Rights,
represented by President Prof. Neda Zdraveva, PhD

Editor: Prof. Gordana Lazetijk, PhD

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Graphic design and print: Масива Дооел Скопје

Place of issue: Скопје

Year of issue: 2021

Circulation: 100 copies

CIP- Каталогизација во публикација
Национална и универзитетска библиотека "Св. Климент Охридски", Скопје

343.811(497.7)(047.31)"2021.7"
061(047.31)"2021.7"

DZUGUMANOVA, Ina

Report from consecutive visits on the situation and conditions in
the penitentiary-correctional institutions in the Republic of North
Macedonia July 2021 / [authors Ina Dzugumanova and Arben Gudachi ;
translation from Macedonian to English Sofija Filipovska.- Skopje :
Helsinki committee for human rights, 2021.- 25 стр. ; 18 см

Превод на делото: Извештај од последователни посети за состојбата и
условите во казнено-поправните установи во Република Северна Македонија
во јули 2021

ISBN 978-608-4977-00-1

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This project is funded by the European Union.



Macedonian Young Lawyers Association



This project is funded by the European Union. The contents of this publication are the sole responsibility of MYLA and do not necessarily reflect the opinion of the European Union.

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INTRODUCTION

This report was prepared within the framework of the project "Elimination of Torture and Inhuman Treatment in Prisons and Detention Facilities", funded by the European Union. For the purposes of the project, a Memorandum of Cooperation was signed between the Macedonian Young Lawyers Association, the Helsinki Committee for Human Rights and the Administration for Execution of Sanctions.

The report is based on field visits by the representative of the Helsinki Committee for Human Rights – Ina Dzugumanova, representatives of the Macedonian Young Lawyers Association – Arben Gudachi and Irena Zdravkova, as well as external experts hired by the monitoring team, psychiatrist - Marija Kostadinovska and psychotherapist – Elisaveta Sekulovska. The experts were hired to assess the potential impact of material conditions in prisons and detention facilities on persons staying in these facilities. The assessment was conducted by providing psychiatric and psychotherapeutic counseling to convicts and talking to professional services in penitentiary institutions, primarily health and social workers.

The field visits were conducted during the month of July 2021, as consecutive visits to the regular ones that the monitoring team conducted in the period from August to October 2020.

The subsequent field visits were conducted in 4 penitentiary-correctional institutions in which the largest number of deficiencies

were noticed during the regular visits, namely in PCI Idrizovo, PCI Shtip, PCI Kumanovo and PCI Tetovo.

Although during the subsequent visits the monitoring team noticed an improvement in the penitentiary institutions, mostly in terms of improving the material conditions, the penitentiary system still faces major problems and challenges.

The most pressing problems remain – the access to health care, the educational process and the process of re-socialization of the convicts, the untrained management and professional staff in the penitentiary institutions and the inefficient internal and external mechanisms for reporting and prosecuting cases of torture and inhuman treatment of convicts. In this regard, the report contains a summary of the conducted field monitoring, focusing on the progress and the main challenges documented during the visits. The report also contains recommendations for each penitentiary institution, as well as general recommendations for the competent institutions in order to improve the circumstances and conditions in the penitentiary and correctional institutions.

CALENDAR OF ACTIVITIES		
PCI Kumanovo	–	6.7.2021
PCI SHTIP	–	8.7.2021
PCI Tetovo	–	13.7.2021
PCI Idrizovo	–	15.7.2021

GENERAL RECOMMENDATIONS

- Immediate and urgent provision of minimum conditions for maintaining hygiene, sleeping conditions and ensuring the quality and quantity of food for the convicts in PCI Idrizovo in accordance with the prescribed standards.
- Immediate and urgent measures taken by the Ministry of Health to ensure unimpeded access to health care for all convicts.
- Informing the convicts about their rights through information flyers, posters, brochures, etc. that will be displayed in a visible and frequent place in all penitentiary institutions.
- Providing appropriate material conditions in the institutions in order to enable humane treatment of the convicts.
- Engaging appropriate staff in institutions regarding re-socialization and developing and implementing appropriate re-socialization programs.



Long-term solution to the problem of water supply in PCI Kumanovo, given the fact that water is a basic human right, and lack of access to water, especially in pandemic conditions, is living in inhumane conditions for convicts.



Undertaking efforts to employ convicts and develop work skills that will be useful to them upon completion of serving a prison sentence.



Cooperation between the centers for social work and the Employment Agency for the purpose of post-penal assistance to convicts and their inclusion in the labor market.



Implementation of a cognitive psychotherapeutic program for convicts, which would be an excellent opportunity for personal work of convicts and fulfillment of the individual treatment program for each convict during serving a prison sentence.



The Ministry of Education to take measures for conducting an educational process for convicted persons in penitentiary institutions.

PENITENTIARY INSTITUTION KUMANOVO

On July 6th 2021, the monitoring team consisting of Ina Dzugumanova, Marija Kostadinovska and Elisaveta Sekulovska paid a visit to the Penitentiary Institution Kumanovo.

BASIC INFORMATION

At the time of the visit to the PCI Kumanovo, there were a total of 145 convicts and 33 detainees, 10 of whom were foreign nationals.

MATERIAL CONDITIONS

In the penitentiary institution, compared to the September 2020 visit, the monitoring team found **reconstructed showers in the shared toilets** that were not previously functional. It is concluded that the institution has made **common sinks in the corridors** of the wards so that the convicts can wash their hands, dishes, etc., without having to go to the shared toilets, which is very helpful considering that there is still no water in the rooms. The monitoring team noticed that at the entrance of all wards, **the convicts were hired to build a wall**, and the commander of the institution informed that the construction was aimed at preventing the giving, selling or reselling of illegal items, substances and the like among the convicts.

The solitary confinement in the PCI Kumanovo was found in poor hygienic and substandard conditions. The beds had **no mattresses or dirty mattresses, no bedding. The chairs in the solitary confinement were broken**, due to which there is a risk of (self) injury of the

convicts while they are staying in solitary confinement. The toilets in the solitary confinement were in very poor hygienic conditions, and the sinks in the solitary confinement were completely crooked, which served the convicts to go to the window of the room in order to talk to other convicts, as well as to exchange illegal items and the like. **The call system in the solitary confinement does not work**, and the light in the solitary confinement is switched on and off by the employees of the institution.

The promenade for prisoners in a closed ward and solitary confinement was empty, with only 1 football goal.

HEALTH PROTECTION

The health care in the institution is provided through a medical technician who is employed in the institution full time. A doctor visits the prison twice a week, and a dentist once every two weeks.

No psychiatrist is employed in the institution. The psychiatrist hired by the monitoring team during the visit noticed that there is not enough medical therapy, and due to the lack of a psychiatrist, convicts often receive inadequate therapy that is shared by the medical technician. The convicts are not under professional psychiatric supervision, which has a particularly detrimental effect on their health, but also on the process of their re-socialization.

Recommendations:

- Finding a long-term solution to the water supply problem;
- Equipping the promenade for convicts in solitary confinement, closed ward and detention unit;
- The Ministry of Health to find a solution to the problem of supplying sufficient quantities of medical therapy and to hire a psychiatrist in the institution;
- Convicted persons to receive medical therapy in the designated period of time under appropriate supervision;
- Reconstruction of toilets and chairs in the solitary confinement and equipping the beds in the solitary confinement with clean mattresses, pillows and bedding;
- Establishment of a functional solitary calling system.

PENITENTIARY INSTITUTION SHTIP

The visit to PI Shtip was conducted on 08.07.2021, by a monitoring team composed of Ina Dzugumanova, Marija Kostadinovska and Elisaveta Sekulovska

BASIC INFORMATION

At the moment of the visit, there were a total of 223 convicted persons in PCI Shtip, out of which only 1 was a foreign citizen.

MATERIAL CONDITIONS

In the penitentiary, compared to the visit in August 2020, we found **a reconstructed reception ward** that housed 3 prisoners. There was no light in the room in the reception ward, and a broken mirror was noticed in the toilet, which was removed by a member of the prison police at the suggestion of the monitoring team. The hygiene in the toilet was at a satisfactory level, with 3 sinks, 1 toilet and 3 showers.

The institution, with financial support from the Administration for Execution of Sanctions, **has completely reconstructed the windows and doors in all wings of the institution**, replacing the old wooden ones with PVC doors and windows. One toilet in 1 wing was reconstructed, while the other is still awaiting funding for reconstruction.

The director of PCI Shtip informed that with the last measurements it has been concluded that **the institution has a capacity for only 156**

people, and not for 210 people as the data was before. Hence, we could notice that the PCI Shtip is again facing **overcrowding and the convicts are serving prison sentences in rooms that do not meet the standards in terms of size, width and length.**

Solitary confinement rooms are still used for convicts who do not serve a disciplinary measure - solitary confinement but cannot be accommodated in any of the other wings due to lack of space. These rooms do not meet the required standards.

HEALTH PROTECTION

Health care is provided through a medical technician and a doctor, who are employed in the institution. There is no psychiatrist in the institution, which has a detrimental effect on the mental health of the convicts, as well as on the process of their re-socialization. The director of the institution informed that they also face a shortage of medicines.

On the day of the visit, the convicts were vaccinated against COVID-19. Out of a total of 223 convicts, 83 people were registered for the vaccine. PCI Shtip is the first penitentiary institution that organizes a vaccination process against COVID-19 for convicts in North Macedonia.

EDUCATION

In April 2021 in PCI SHTip is started an educational process of the convicts. At the beginning, a total of 40 people applied to attend primary education. The education is conducted with the financial

support of the Ministry of Education and UNDP. Classes are held every day of the week through teachers hired from a primary school in Stip.

Recommendations:

- Taking measures to eliminate overcrowding in the institution by the Administration for Execution of Sanctions;
- Convicted persons should not serve a prison sentence in rooms intended for serving a disciplinary measure - solitary confinement, because there is not enough space capacity;
- The Ministry of Health to take measures for regular procurement of the necessary medicines for medical therapy of the convicts with health problems that in short supply they procure privately;

The Ministry of Health to take measures for hiring a psychiatrist in the institution;

- Employment of convicts within the institution;
- Reconstruction of some of the toilets that are still in poor condition.

PENITENTIARY INSTITUTION – PRISON TETOVO

Penitentiary Institution Tetovo Prison was visited on 13.7.2021, by the monitoring team consisting of Ina Dzugumanova, Arben Gudaci, Marija Kostadinovska and Elisaveta Sekulovska.

BASIC INFORMATION

There were 72 people in the PCI Tetovo at the time of the visit, and the total capacity of the institution is 53 people.

MATERIAL CONDITIONS

In the penitentiary institution, compared to the visit in August 2020, we found **changed doors and windows in some of the rooms, and during the visit the toilets were being reconstructed**. The monitoring team was informed that with the help of donations, the director of the institution procured **new mattresses and bedding for the convicts**.

There is still **no special room for visits** in the PCI Tetovo and during our visit we noticed that **new benches and swings** have been set up in the yard of the institution where convicts can have meetings with their loved ones.

The promenade of the institution is still empty, without new equipment for free and vocational activities, so it is used only for

walks. Within the promenade there is a room for the gym, a special room that the convicts use to play chess and as a cafeteria, and a library room, which is poorly equipped with books, for which the team recommended to contact the city library.

What the team identified as one of the shortcomings is that in **the room that serves as a reception unit were accommodated 3 people in the reception department, and 1 person who was serving a disciplinary measure - solitary confinement**. The member of the prison police and the convicts informed the monitoring team that they have **only 1 hour during the day for a walk**, for which the director of the institution was immediately reprimanded that the convicts are entitled to a 2 hour walk in the open during the day. Next to the room for admission at the time of the visit, another room was reconstructed which should be intended for serving a disciplinary measure - solitary confinement, in order for the two categories of persons to be separated.

The convicts housed in the reception ward complained that they only take one shower during the week. The director of the institution informed the monitoring team that due to the restrictions they have with the water, sometimes there is water only at 3 am, which is the reason why the convicts are not able to shower more than once a week.

The convicts were informed of this circumstance, and the principal was instructed to ask for statements from them with which they agreed to be awakened during the night so that they could take a shower, until the problem with the water supply is resolved.

HEALTH PROTECTION

Health care is provided through a doctor who is employed full time in the institution. **The doctor's office is small and serves as the office of two other employees of the institution.** In a conversation with the doctor, the monitoring team received information that there is **not enough medical therapy** in the institution, and the convicts are forced to buy the necessary medicines themselves.

The doctor also informed the monitoring team that **the convicts do not have health insurance** and therefore have obstacles in achieving secondary health care. **No psychiatrist** has been hired in the institution, for which the psychiatrist from the monitoring team concluded that there is a great need, having in mind that the large number of convicts need continuous and intensified psychiatric supervision. Most often, this category of persons is referred only *ad hoc* for an internal examination by a psychiatrist when it is urgent and necessary, which means that their mental health is not monitored continuously.

Recommendations:

- The Ministry of Health to urgently take measures for procurement of medical therapy in the institution and regulation of the health insurance of the convicted persons;
- Ministry of Health to take measures to hire a psychiatrist in the institution;
- To open a new room intended for an ambulance, where the doctor will be able to examine the convicts without the presence of other employees, in order to protect their privacy;
- To reconstruct another room intended for serving a disciplinary measure - solitary confinement so that these persons can be separated from the persons accommodated in the admission department;
- To solve the problem with the restrictions in the water supply;
- To open workshops and to equip the promenade of the institution so that the convicts can have opportunities for better quality free and vocational activities that are especially important for their re-socialization;
- Convicts should be provided with 2 hours during the day for an outdoor walk;
- To equip a special room intended for visits.

PENITENTIARY INSTITUTION IDRIZOVO WITH OPEN DEPARTMENT IN VELES/ EDUCATIONAL-CORRECTIONAL INSTITUTION FOR WOMEN IN PENITENTIARY INSTITUTION IDRIZOVO

PI Idrizovo was visited by the monitoring team consisting of Ina Dzugumanova, Arben Gudaci, Marija Kostadinovska and Elisaveta Sekulovska, on 15.07.2021.

BASIC INFORMATION

There were 1,083 convicts in the PCI Idrizovo at the time of the visit.

MATERIAL CONDITIONS AND EXERCISE OF THE RIGHTS OF CONVICTED PERSONS

In the closed ward of the PCI Idrizovo **an overcrowding was noted** in the accommodation rooms, specifically in blocks 1, 4 and 7, where prisoners were found sleeping in a hallway, on the floor, and in some rooms 12-13 prisoners were found in one room on beds on 3 floors. **The showers in all the toilets are still improvised and made of barrels, and in some toilets the prisoners take showers with buckets.** Convicts sleeping in the hallway do not have their own toilet and must use the toilets of convicts who have a room. The entire electrical installation (electricity) is open and poses a high risk of fire or another incident.

Improvised water heaters are used by convicts who also pose a risk to their lives.

7 convicts were found in the 1st wing, 5 convicts in the 4th wing, and 4 convicts **sleeping on the floor** in the 7th wing. One convict from the 1st wing was sleeping on a mattress on the floor in one of the rooms, two convicts in the 4th wing were found sleeping on a single bed in the hallway, and one convict in the 4th wing was sleeping on a bed without planks, so he placed a TV under the mattress so he could sleep. One of the convicts in the 7th wing was sleeping on a blanket lying on the floor. There was a very low level of hygiene in the whole building, and especially in the blocks where overcrowding was observed. Additionally, the convicts informed the monitoring team that in the past 2-3 weeks they **have no water** due to which they cannot take a shower, maintain personal hygiene, nor wash the dishes in which they eat. As a result, the building smelled bad, and many unwashed dishes were spotted in the hallways of rooms full of flies and other insects.

At the time of the visit, the temperature in the city was 40 degrees Celsius. The premises of the institution where the convicts are accommodated were significantly warm, but they informed that the director of the institution **did not allow them to bring fans**, nor were they provided by the institution.

In the 4th wing, a **broken window** in the corridor of the rooms was noticed, which the prisoners can use to inflict (self) injury. The monitoring team instructed the prison police to remove the window immediately.

The solitary confinement in the facility is in significantly substandard conditions with dirty mattresses, dirty bedding, damp, dirty toilet, as

well as very low artificial light. One convicted person who was placed in solitary confinement informed us that he had a deteriorating health condition, ie problems with blood pressure, due to which he once fainted. He complained that his health condition did not allow him to be placed in solitary confinement.

The admission department in the institution was also found in poor hygienic conditions. There were 18 beds in the room, and at the time of the visit a total of 6 people were accommodated. The toilet in the reception department has a very low level of hygiene and has a shower and 2 toilet bowls. **Power cables were found in the toilet,** which could very easily cause fire and injuries to convicts, and in the worst case could lead to death. The convicts asked for hygiene items so that they could clean the room.

The old part that served to accommodate the convicts with treatment for a semi-open ward is closed. The convicts are accommodated in the new building which has a ground floor and 2 floors, and the total number of persons is 240. Although a new building, on the ground floor there was moisture on the ceilings and a wall that is collapsing due to humidity. The rooms in this building meet the standards in terms of width, size, light, humidity, but the convicts had a number of complaints due to lack of water, as well as refrigerators where they could store food during the summer period when temperatures are very high, and considering that many of them take food packages from outside, because the facility serves, for example, only 1 can of fish for two, 1 small yogurt per person for 3 meals, a plate of puree with 2 sausages for 4 people, etc. The problem of water shortage was again pointed out in the new building, and the convicts housed on the second floor of the building complained that they had no water at all due to lack of pressure.

As a positive progress, the director of the institution singled out the introduction of official entrance for employees in order to ensure their safety, daily detailed search of all employees at the entrance and exit of the institution, 3 new parking spaces for employees, reconstruction of doors and windows and introduction of cable network in the women's department. He also informed that preparations are underway for a new outpatient room and a new dental office.

HEALTH PROTECTION

In terms of health care, PCI Idrizovo has two general practitioners, one psychiatrist (who comes on certain days), three nurses and one dentist. The medical staff works only on working days, in one shift, from 7:30 to 15:30 and is responsible for providing primary health care to all convicts in the PCI Idrizovo.

The psychiatrist and psychotherapist who were part of the team spoke with only 6 convicts housed in the "Ambulance" building because the institution **had failed to make a list of people** who wanted to consult a psychiatrist/psychotherapist.

COMPLAINTS FROM PRISONERS AND LEGAL AID

During the visit, fifteen convicts were provided with direct legal assistance in relation to a specific legal issue.

The convicts generally complained about the conditions in the institution, mostly about the **lack of water**. The convicts face this problem for almost three weeks due to which they have difficulties in

maintaining hygiene, washing dishes, cleaning the premises, etc., which is a big problem especially in a period when the temperatures are significantly high.

Furthermore, some of the convicts complained that due to the overcrowding in the institution they sleep **on the floor or on the beds in the corridors**, some for several weeks and some for several months.

In terms of food, convicts have a number of complaints that **the food is so bad** that they are forced to eat only from the food packages they receive from home. Those who do not have the financial means to buy food from abroad or do not have close people who would bring them food, eat from prison food, which they say is horrible. They complained that they only get 1 small cream for breakfast, 1 can of fish for lunch for two, 1 small yogurt for all 3 meals during the day and the like.

Those who take food from home fear that it will spoil due to the high temperatures, and the director of the institution does not allow them to buy refrigerators, although in some departments it was noticed that the convicts have refrigerators for food. All meals are served at once, and most often due to overcrowding, convicts are forced to split their meals into two. Additionally, the bread is delivered at the entrance of the corridors, in places that have a low level of hygiene and the presence of various insects.

Almost all the convicts we talked to **pointed out the problem they have with insects (roaches, cockroaches, etc.) in the bedrooms, and many of them had traces of insect bites.**

Some of the convicts also complained about the difficult access to health care, i.e., that the **prison does not provide the necessary medical therapy** or that they cannot come to be examined by a doctor, although they have submitted a written request.

WOMEN'S DEPARTMENT

The special unit in PCI Idrizovo for women serving prison sentences (hereinafter the women's unit) functions as a separate facility in PCI Idrizovo where a total of 66 women are accommodated. Within the women's department, there is also an educational-correctional home for women. During the visit, 3 juveniles were accommodated in the institution.

In the women's ward, a complete reconstruction of the doors and windows was made, and a cable network was installed, and a procedure for reconstruction of the floor is underway.

What the team noted as a shortcoming was the dysfunctional video surveillance in the ward, which is an obstacle to investigating any case of ill-treatment or torture of female prisoners who **complained to the team that commanders often used excessive physical force against them**, addressing them with abusive words and the like. The convicts complained that they lack a conversation with a psychologist, as well as more free and vocational activities, because apart from watching TV and walking in the yard, they have no way to spend their time.

The disadvantage was that the convicts do not have a washing machine and have to wash their clothes by hand.

Recently, the Association "Victim" from Skopje in cooperation with the Directorate for Execution of Sanctions has implemented a project "Rehabilitation of women prisoners", financially supported by Civika Mobilitas, through which women have the opportunity to attend yoga classes several times a month within the institution. Such activities are to be welcomed because they directly affect the process of re-socialization of convicts.

Recommendations:

- Immediate undertaking of measures for resolving the overcrowding in the institution;
- Take urgent measures to find a solution to the water supply problem;
- Providing 3 meals during the day for all convicts who will meet the nutritional values provided by the Law on Execution of Sanctions;
- The institution to provide or enable convicts to purchase fans during the summer period when temperatures are significantly high;
- Complete reconstruction of the closed ward and the building "Ambulance" or opening of completely new facilities;
- The Ministry of Health to urgently take measures for procurement of the necessary medicines that the convicts currently pay for themselves;
- The Ministry of Health and the Administration for Execution of Sanctions to solve the problem with the health insurance of the convicts who are not currently insured and have obstacles in the provision of secondary health care;

- Immediate implementation of disinsection in all premises of the Idrizovo Penitentiary due to the presence of cockroaches;
- The Ministry of Education to start an educational process in the Idrizovo Penitentiary which will be sustainable with state funds;
- Establishment of functional video surveillance in the women's department;
- Posting posters with the rights of convicts while serving a prison sentence;
- Equipping the promenade with several props for quality spending of free time of the convicts;
- Employment of convicts.

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