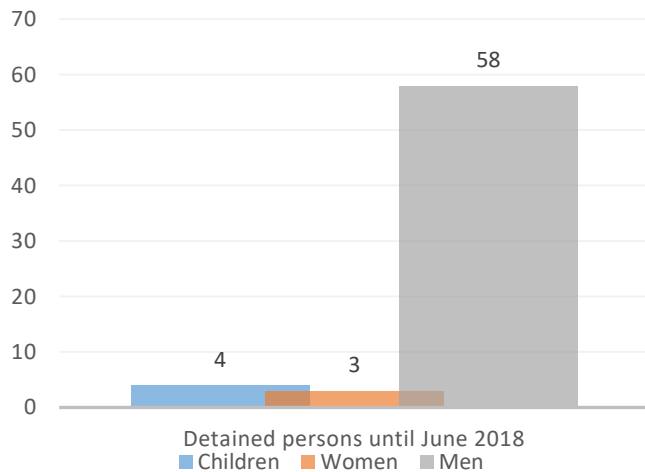
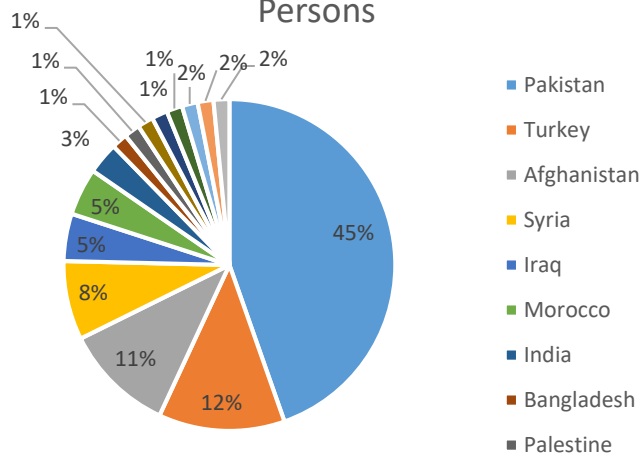


MYLA MID YEAR REPORT ON IMMIGRATION DETENTION 2018

In 2018, refugees and migrants continued to transit through Republic of Macedonia using irregular and smuggling routes. In response, immigration detention remained to be a growing phenomenon, causing an increase in concerns surrounding the possible violations of human rights for those held in detention. MYLA conducts regular monitoring of the immigration detention facility (RC for Foreigners) and provides information on the international protection to detained persons. However, MYLA has limited access to detained persons, detention areas and detention case files. This report is based on the statements given from the detained persons during the interviews.

Country of Origin of Detained Persons



- The **number of detained persons** as of June 2018 (at least 65) was higher compared to the first half of 2017 (at least 40).
- The **average length of detention** was 12.8 days, with the longest detention being 45 days.
- 4 children were referred to **alternative care arrangements** immediately upon the registration in the centre.
- Out of 270 refugees and migrants who traveled in different groups only 24% were detained and the rest were returned to Greece in absence of a formal procedure. In the reporting period MYLA reported cases of separation during the apprehension by the police.
- Majority of persons in detention **did not receive detention decisions on time**, nor were they adequately informed of the reasons of detention and their rights in a language they understand. Therefore they were unable to challenge their detention. **Access to legal assistance** for persons in detention was limited to assistance regarding international protection provided by MYLA.
- The majority of detained persons were **satisfied with the treatment by the police** in the centre. However, men in detention consistently reported lack of access to fresh air outside of the centre. Complaints have been made in several cases in which the detained persons complained that the food is not adequate to their culture and habits. Detained persons also required they needed new clean clothes. Some of the detained persons complained about their right of phone calls.
- 45% of the asylum seekers in the first half of 2018 were **detained prior to seeking asylum**.
- Some of the persons detained in the immigration detention centre faced **obstacles in accessing the asylum procedure**. MYLA intervened in 5 cases where detained persons were not given the opportunity to apply for asylum as soon as they asked. A couple of days after the interventions were made the detained persons were transferred to the RC for Asylum Seekers.
- In this reporting period MYLA hasn't received any **decision for deprivation of freedom of movement** during the asylum procedure according to the new Law on International and Temporary protection.
- The **average length of stay in the Reception Centre** for Asylum Seekers is 10.9 days which is an increase compared to the length of stay in 2017.

CONCLUSIONS

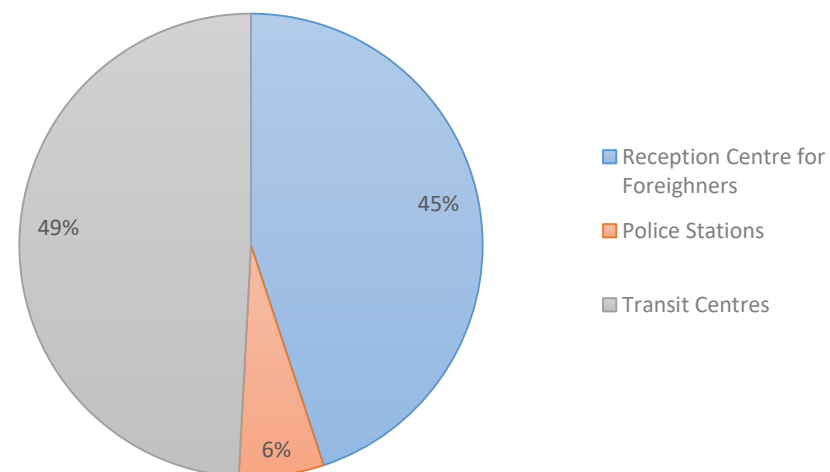
ENSURING PRESENCE OF WITNESSES IN CRIMINAL PROCEEDINGS BY DETAINING THEM IS CONTRARY TO THE LAW. ADEQUATE ALTERNATIVES SHOULD BE EXPLORED.

ALTERNATIVES TO DETENTION SHOULD BE AVAILABLE IN LAW AND IMPLEMENTED IN PRACTICE. NO CHILD SHOULD BE HELD IN IMMIGRATION DETENTION!

EFFECTIVE LEGAL ASSISTANCE AND THE OPPORTUNITY TO ADEQUATELY CHALLENGE THE LEGALITY OF THE DECISION ARE CRUCIAL IN ENSURING THAT THE RIGHTS OF THE DETAINED PERSONS ARE RESPECTED AND FULFILLED.

DETENTION CONDITIONS SHOULD MEET RELEVANT DOMESTIC AND INTERNATIONAL LEGISLATION AND STANDARDS.

Places of submission of asylum requests



Macedonian Young Lawyers Association

Macedonian Young Lawyers Association (MYLA) is an independent, non-profit professional organization which provides legal aid and strategically litigates to protect human rights.

MYLA is the only organization in Republic of Macedonia that provides free legal aid and represents asylum seekers, refugees, stateless persons and other persons of concern in procedures related to asylum, legal residence and other social rights.

CONTACT US

Str. Donbas 14/1-6, 1000 Skopje

Tel: +389 2 3220 870

Email: contact@myla.org.mk

Visit us on our website: www.myla.org.mk



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