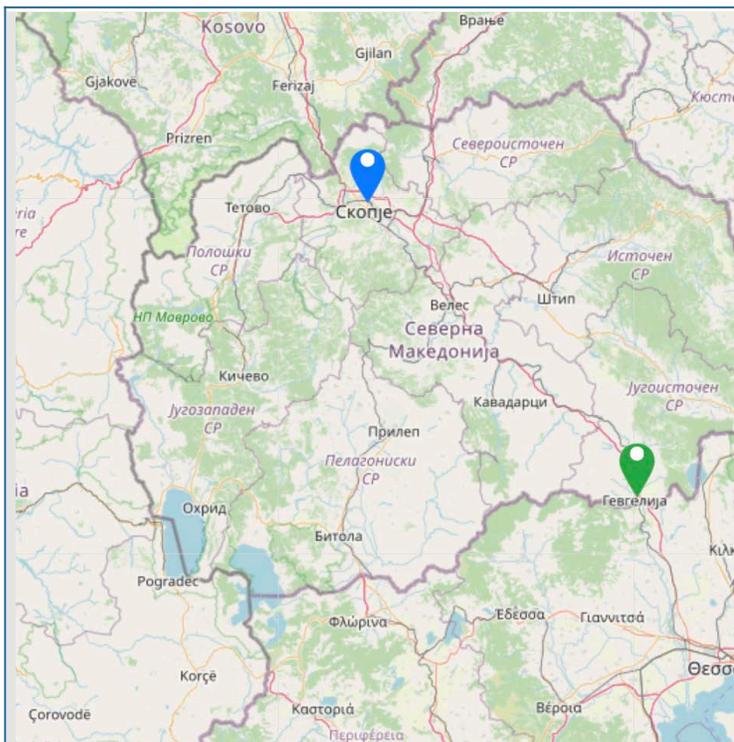


Macedonia Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2018)	211
Detained minors (2018)	9
International migrants (2017)	131,100
New asylum applications (2019)	452

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/macedonia>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	211	2018	Top nationalities of detainees	Pakistan, Afghanistan, Iraq, Iran, Turkey	2018
	389	2016			
	1,346	2015			
Total number of detained minors	9	2018	Number of detained unaccompanied minors	3	2018
	22	2016		4	2016
	251	2015		70	2015
Number of detained accompanied minors	6	2018	Number of dedicated long-term immigration detention centres	1	2018
	18	2016			
	181	2015			
Criminal prison population	3,029	2018	Percentage of foreign prisoners	4.8	2018
	3,427	2016		5.7	2015
	3,021	2013			
Prison population rate (per 100,000 of national population)	146	2018			
	166	2016			

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	2,100,000	2020	International migrants	131,100	2017
	2,078,000	2015		130,700	2015
International migrants as a percentage of the population	6.3	2017	Refugees	412	2018
	6.3	2015		419	2017
				629	2016
				828	2015
				883	2014
Ratio of refugees per 1000 inhabitants	0.31	2016	Total number of new asylum applications	452	2019
	0.43	2014		741	2016
				1,092	2014
Refugee recognition rate	75	2014	Stateless persons	571	2018
				590	2017
				600	2016
				5,455	2015

DOMESTIC LAW

LEGAL TRADITION				
Legal tradition	Name		Observation Date	
		Civil law		2017
LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	CONSTITUTION OF THE REPUBLIC OF MACEDONIA, Article 12	1991	2011
LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Law on International and Temporary Protection		2018	
	Law on Border Control (законот за гранична контрола)		2011	2015
	The Law on Foreigners (Законот за странци)		2006	2015
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION				
Immigration-status-related grounds	Name		Observation Date	
	Detention to establish/verify identity and nationality		2017	
	Detention to effect removal		2017	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES				
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date	
	Yes	No	2017	
LENGTH OF DETENTION				
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date	
	365		2017	
LENGTH OF DETENTION				
Longest recorded instance of immigration detention.	Number of Days		Observation Date	
	301		2016	
	270		2016	
	210		2015	
	150		2015	
	120		2014	
LENGTH OF DETENTION				
Average length of detention	Number of Days		Observation Date	
	12		2018	
	38		2016	

PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Right to appeal the lawfulness of detention	Yes		2017
	Right to legal counsel	Yes	No	2017
	Access to consular assistance	Yes		2017
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Designated regional residence	Yes		2017
	Supervised release and/or reporting	Yes		2017
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Impact of alternatives	Name	Impact of Nature		Observation Date
	Unknown			2017
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Unaccompanied minors		Yes	2018
	Asylum seekers	Provided	Yes	2018
	Victims of trafficking	Provided	No	2017
	Unaccompanied minors	Provided	No	2017
	Asylum seekers	Prohibited	No	2017

COVID-19 UPDATES

	Update Status	Observation Date
Latest Update	<p>In response to the Covid-19 crisis, North Macedonia announced on 17 March the closure of all its borders. President Stevo Pendarovski called a state of emergency for 30 days, which was later extended for an additional month. Strict measures were put in place, including curfew and the compulsory use of masks in public places where a safe distance cannot be adhered to. However, these regulations are difficult to adhere to for transit groups as they do not have fixed accommodation or access to face masks. A 2020 report drafted by the Border Violence Monitoring Network (BVMN) stated that push backs at the borders continue to take place. In April, masked officers ordered a mass transfer from a camp in Serbia, informing residents that they would be taken to Presevo as a health precaution. Instead, they were driven to the border with North Macedonia and pushed back at gunpoint. The group was later apprehended by North Macedonian authorities and pushed back to Greece. BVMN has recorded four cases of push-backs from North Macedonia to Greece in April. The country's president has emphasised their "zero tolerance" approach towards migrants crossing the borders: "Regardless of the corona crisis, we are closely monitoring the situation, but mainly there is no difference in our attitude." In two cases in April, officers working in the border regions employed violence, resulting in one migrant being unable to walk without crutches and another suffering from a fractured arm. In the latter incident, after having been beaten, four migrants were driven to the border with Greece and the officers "opened the door of the border" and chased the group shouting "go, go, never come back." As a result, the group decided to make their way back to Thessaloniki. Responding to the Global Detention Project's Covid-19 survey, a non-governmental actor in North Macedonia stated that immigration detainees in the country have not been released despite the Covid-19 crisis and detention orders are still being issued. The source, who asked to remain anonymous but whose identity was verified by the GDP, said added that some detainees were taken to quarantine facilities but that no alternatives to detention programs are employed in the country. Regarding the country's prisons, it is unclear if measures to protect detainees have been adopted. However, on 9 April, a 47-year-old detainee in the prison of Sutka in Skopje died from Covid-19. A second prisoner died of Covid-19 on 15 April in the pretrial prison in Suto Orizari. The GDP has been unable to find reports indicating that authorities have adopted any measures to assist migrants in detention.</p>	2020

INTERNATIONAL LAW

Relevant international treaties and date of ratification		
International treaties	Name	Ratification Year
	VCCR, Vienna Convention on Consular Relations	1993
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1994
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1994
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2009
	CRC, Convention on the Rights of the Child	1993
	CRPD, Convention on the Rights of Persons with Disabilities	2011
	CRSR, Geneva Convention Relating to the Status of Refugees	1994
	CRSSP, Convention Relating to the Status of Stateless Persons	1994
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1994
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2005
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2005
	ICCPR, International Covenant on Civil and Political Rights	1994
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1994
CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1994	
Ratio of relevant international treaties ratified	14/19	
Relevant international treaties and date of ratification		
Individual complaints procedure	Name	Acceptance Year
	CAT, declaration under article 22 of the Convention	1994
	ICERD, declaration under article 14 of the Convention	1999
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2003
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2011
ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1994	
Relevant international treaties and date of ratification		
Ratio of complaints procedures accepted	Number	Observation Date
	5/7	2017

Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Human Rights Committee	(a) Ensure that detention of asylum seekers, irregular migrants and refugees is used only as a measure of last resort and for the shortest possible period of time, and that alternatives to detention are available in law and implemented in practice; (b) End as a matter of urgency the detention of unaccompanied minors, except as a measure of last resort and for the shortest possible period of time. The State party should, without delay, find alternative accommodation for unaccompanied minors so that they are not detained in the same facilities as adults and ensure that guardians are appointed without delay to provide legal, social, medical and psychosocial assistance; CCPR/C/MKD/CO/3 6 (c) Strengthen its efforts to improve the living conditions in detention centres for migrants and asylum seekers, including in the Reception Centre for Foreigners (Gazi Baba) by providing adequate health-care services and sanitary conditions. It should also take concrete measures to reduce overcrowding, including by using alternatives to detention;	2015
Regional treaties, regulations, and directives			
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights)		1997
	ECHR1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)		1997
	ECHR7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)		1997
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment		1997
	ECHR12, Protocol 12 to the European Convention on Human Rights		2004
	CATHB, Convention on Action against Trafficking in Human Beings		2009
	CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse		2012

Regional treaties, regulations, and directives

	Name	Recommendation Excerpt	Recommendation Year	Observation Date
<p>Recommendations issued by regional human rights mechanisms</p>	<p>European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)</p>	<p>The CPT recommends that the authorities take rigorous action to counter acts of ill treatment at the Skopje Reception Centre for Foreigners. All police officers assigned to custodial tasks at the centre should be provided with appropriate training in inter-personal skills and be regularly reminded that any ill-treatment of detainees, including of a verbal nature, will be punished accordingly. Finally, any allegations of ill-treatment of detained persons by staff which come to the knowledge of the authorities should be the object of a thorough investigation. [...] The CPT recommends that the authorities avoid, as far as possible, detaining irregular migrant families. If, in exceptional circumstances, detention cannot be avoided, families should be accommodated in a dedicated unit of the Reception Centre for Foreigners providing an adequate environment and the period of detention should be limited in time. [...] The CPT recommends that the national authorities conduct a structural reorganisation of the health-care services at the Reception Centre for Foreigners which should include the following steps by: □ ensuring the presence of a general practitioner in proportion to the number of detained persons and the recruitment of two full-time nurses; □ ensuring that every newly-arrived detainee is clinically assessed by a medical doctor or by a fully qualified nurse reporting to a doctor as soon as possible and in any case no later than 24 hours after his/her admission to the Reception Centre. Such medical screening should also imperatively include tests for transmissible diseases; □ ensuring that the health-care service be organised in a manner that allows requests to consult a doctor to be met without undue delay; - 70 - □ opening personal medical files of detainees on an individual basis and keeping them locked; □ ensuring that the stock of medicines is regularly reviewed and replaced; □ adopting and implementing protocols in the field of suicide prevention and hunger strikes of detained persons.</p>	<p>2016</p>	<p>2017</p>

Bilateral/Multilateral agreements linked to readmissions

Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	Croatia	2003	2017
	Germany	2004	2017
	Hungary	2004	2017
	Albania	2005	2017
	Spain	2006	2017
	Poland	2007	2017
	Austria	2007	2017
	Norway	2007	2017
	Denmark	2007	2017
	Belgium	2008	2017
	Netherlands	2006	2017
	Luxembourg	2006	2017
	Bulgaria	2002	2017
	Estonia	2010	2017
	France	1999	2017
	Germany	2014	2017
	Italy	1997	2017
	Romania	2006	2017
	Slovenia	1999	2017
	Switzerland	2012	2017
	Kosovo	2010	2017
	EU	2008	2017
	Slovakia	2010	2017

Non treaty-based international human rights mechanisms

Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2009	2017
	No	2014	2017

INSTITUTIONAL INDICATORS

Institutions responsible for immigration detention

Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
		Ministry of the Interior	Interior or Home Affairs	2017

Detention monitoring institutions

Authorized monitoring institutions	Institution	Institution Type	Observation Date
	Ombudsman of the Republic of Macedonia	National Human Rights Institution (or Ombudsperson) (NHRI)	2016

Detention monitoring institutions

Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?	Observation Date
	No	2016

Detention monitoring institutions

Does NHRI carry out visits?	Does NHRI carry out visits in practice?	Observation Date
	Yes	2017

More information about immigration detention in Macedonia is available at the website of the Global Detention Project (www.globaldetentionproject.org)