



**International covenant
on civil and
political rights**

Distr.
GENERAL

CCPR/C/MKD/CO/2/Add.1
10 November 2009

Original: ENGLISH

HUMAN RIGHTS COMMITTEE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT**

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA *

**Information received from the former Yugoslav Republic of Macedonia on the
implementation of the concluding observations of the Human Rights Committee
(CCPR/C/MKD/CO/2)**

[31 August 2009]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

In accordance with rule 71, paragraph 5 of the Committee's rules of procedure, the Republic of Macedonia submits the information requested in paragraphs 12, 14 and 15 of the Committee's concluding observations (CCPR/C/MKD/CO/2)

1. The activities of the Government of the Republic of Macedonia correspond to **the recommendation contained in paragraph 12** of the concluding observations. Namely, in February 2008, the International Criminal Tribunal for the Former Yugoslavia returned to the Republic of Macedonia four cases for allegedly committed crimes against humanity and international law, with an instruction that those cases be processed in the domestic courts.
2. These cases were submitted to the Public Prosecutor's Office of the Republic of Macedonia.
3. An indictment has been instituted in one of the cases and a court procedure is in progress, one of the cases is in the investigation stage, while the remaining two are in the preliminary procedure.
4. An appeal procedure before the Tribunal is in progress in the Boskovski – Tarculovski case.
5. As regards the **recommendation in paragraph 14 according** to which the Republic of Macedonia should consider undertaking a new and comprehensive investigation of the allegations made by Mr. Khaled al-Masri, the Ministry of the Interior have from the outset seriously considered that possibility. If new findings were made that would indicate involvement of the institutions of the Republic of Macedonia in violating the rights and freedoms of Mr. Khaled al-Masri, the Ministry of the Interior would be prepared to conduct a new and comprehensive investigation and would inform the domestic and international public about the results thereof.
6. The Ministry of Justice of the Republic of Macedonia was addressed by the Chief Senior Public Prosecutor in Munich I, FR Germany via the requests No. 111 UJs 715051/04 from 9 May 2005 and No. 111 Js 10154/07 from 13 November 2007, with a request for investigation regarding the investigating procedure pursued at the Munich I Public Prosecutor's Office against the German national B.K., regarding the crime of unlawful deprivation of freedom and inflicting bodily harm according to the Criminal Code of Germany, to the detriment of the German national Khaled al-Masri
7. Proceeding upon the request in question, the Ministry of Justice of the Republic of Macedonia addressed the Public Prosecutor's Office of the Republic of Macedonia – the Department for Pursuing the Perpetrators of Criminal Acts in the Field of Organized Crime and Corruption, with a request for submitting the necessary data forwarded by the Munich I Chief Senior Public Prosecutor from the FR Germany.
8. The Public Prosecutor's Office of the Republic of Macedonia - the Department for Pursuing the Perpetrators of Criminal Acts in the Field of Organized Crime and Corruption submitted to the Ministry of Justice the following requested data and documents:

- Special report by the Ministry of the Interior (MoI) of the Republic of Macedonia dated 20 March 2006;
- Excerpt from the records of the Tabanovce Border Crossing (BC) on the entry of persons;
- Excerpt from a hotel guestbook for registering foreign nationals;
- Report of a responsible person of the “Skopski Merak” Hotel dated 8 February 2006;
- Report of a responsible person of the “Skopski Merak” Hotel dated 10 February 2006;
- Report containing a list of the responsible persons employed at the “Skopski Merak” Hotel dated 10 February 2006;
- Report from the Civil Aviation Agency dated 3 February 2006;
- Reply from the “Petrovec” Airport dated 3 February 2006;
- Excerpt from the registers of “Blace” BC on the exit of a person;
- Special report of the MoI of the Republic of Macedonia – Internal Control and Professional Standards Sector dated 10 April 2008;
- Guestbook certified by the MoI dated 12 November 2003;
- Communication from the MoI, the Public Security Bureau, the Border Affairs Sector dated 31 January 2006, with listings of the operative records for exiting the Republic of Macedonia;
- Request for data forwarded by the MoI - Internal Control and Professional Standards Sector to the Civil Aviation Agency on 2 February 2006;
- Data submitted by the Ministry of Transport and Communication - the Civil Aviation Agency to the MoI - Internal Control and Professional Standards Sector on 3 February 2006;
- Request for data forwarded by the MoI - Internal Control and Professional Standards Sector to the “Petrovec Airport” Public Enterprise on 2 February 2006;
- Reply to the request forwarded by “Petrovec” Airport on 3 February 2006, with enclosed lists of conducted flights;
- Request for data forwarded by the MoI - Internal Control and Professional Standards Sector to the ITC Department on 2 February 2006;
- Reply to the request forwarded by the ITC Department to the MoI - Internal Control and Professional Standards Sector on 3 February 2006.

9. The Ministry of Justice of the Republic of Macedonia through the Ministry of Foreign Affairs of the Republic of Macedonia forwarded the documents No. 13-9/2006-5 dated 24 March 2006 and No. 13/1-784/2009-4 dated 2 May 2008 to the Munich I Chief Senior Public Prosecutor, FR Germany. These documents contained the reports – data and documents obtained from the Public Prosecutor’s Office of the Republic of Macedonia.

10. Regarding **the Committee’s observation and recommendations in paragraph 15** that while noting the low number of Internally Displaced Persons (IDP) and the efforts taken by the State party to provide a solution to their plight and that the state should find a durable solution for all IDPs without any delay, in consultation with the remaining displaced persons and in accordance with the “Guiding Principles on Internal Displacement”, the Government of the Republic of Macedonia continues the activities in respect of the care for the IDPs. According to the data of the Ministry of Labour and Social Policy on the number of IDPs, there are 693 persons, i.e. 214 families of whom 293 persons or 100 families are accommodated in collective centres, while 400 persons or 114 families are accommodated with families.

11. Aiming at the durable solution to the situation of the IDPs, during 2008, the Government of the Republic of Macedonia formed a working group which considered the possibility for reaching non-litigation settlements with a number of interested IDPs. Thus far, according to the data obtained from the State Attorney's Office, around 39 families from the region of Kumanovo have reached a court settlement in cases they have instituted against the state, while a large number of such cases are pending. The rest of the IDPs from the Skopje region keep insisting on an early completion of the court proceedings they have instituted against the Republic of Macedonia claiming pecuniary and non-pecuniary compensation as a result of the 2001 crisis.

12. The Government of the Republic of Macedonia offers the families which are not satisfied with the accommodation conditions in the collective centres a possibility to leave these centres and find private accommodation. According to the Decision of the Government, the monthly rent for this private accommodation (at the amount of 6,000 to 12,000 MKD, or €100 to €200) will be covered by the Ministry of Labour and Social Policy, while, at the same time, these families are being provided with a monthly financial assistance at the amount of 3,000 to 7,500 MKD (€50 to €140), depending on the number of family members.
