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MINISTRY OF INTERIOR

Pursuant to Article 64, paragraph (3) of the Law on International and Temporary Protection* ("Official Gazette of the Republic of Macedonia" no. 64/18), the Minister of Interior adopted this

RULEBOOK ON THE MANNER OF LIMITATION OF FREEDOM OF MOVEMENT OF AN APPLICANT FOR INTERNATIONAL PROTECTION

Article 1

This Rulebook shall prescribe the manner of limitation of freedom of movement of an applicant for international protection (hereinafter: applicant).

Article 2

(1) The organizational unit within the Ministry of Interior (hereinafter: the Ministry) competent to act in cases referred to in Article 63, paragraph (2), indents 1, 3 and 4 of the Law on International and Temporary Protection* (hereinafter: the Law), shall deliver a request to the competent organizational unit for asylum, whereby it shall state the reasons for limitation of freedom of movement of the applicant.

(2) In the case referred to in Article 63, paragraph (2), indent 2 of the Law, the competent organizational unit for asylum shall deliver a request to the competent organizational unit for border affairs and migration at the Public Security Bureau at the Ministry (hereinafter: competent organizational unit for border affairs and migration), whereby it shall state the reasons for limitation of freedom of movement of the applicant.

(3) The request referred to in paragraphs (1) and (2) of this article shall contain: personal data of the applicant for whom limitation of freedom of movement is requested, the reasons, type of measure for limitation of freedom of movement of the applicant, as well as the duration of the measure for limitation of freedom of movement of the applicant.

(4) Upon submitting the request referred to in paragraphs (1) and (2) of this article, the competent organizational unit for asylum shall prepare a request for taking a decision by which the applicant is imposed with a measure – accommodation in a Reception Centre for Foreigners, which shall be delivered to the competent organizational unit for border affairs and migration.

Article 3

The decision imposing the measure – accommodation in a Reception Centre for Foreigners to the applicant shall be prepared by the competent organizational unit for border affairs and migration, upon previously received request from the competent organizational unit for asylum referred to in Article 2, paragraph (4) of this Rulebook.

Article 4

(1) The organizational unit at the Ministry competent for acting upon cases referred to in Article 63, paragraph (2), indents 1, 3 and 4 of the Law, which submitted the request for limitation of freedom of movement of an applicant to the competent organizational unit for asylum, may request an extension of the measure of limitation of freedom of movement – accommodation in a Reception Centre for Foreigners.

(2) Regarding the case referred to in Article 63, paragraph (2), indent 2 of the Law, the competent organizational unit for asylum may request an extension of the measure of limitation of freedom of movement – accommodation in a Reception Centre for Foreigners from the competent organizational unit for border affairs and migration.

(3) In case the organizational unit referred to in paragraph (1) of this Article does not request an extension of the measure for limitation of freedom of movement – accommodation in a Reception Centre for Foreigners, the competent organizational unit for asylum shall contact it in writing prior to the expiry of the duration of the measure, with the purpose of establishing whether the reasons due to which the limitation of freedom of movement was imposed still exist.

(4) The reasons for extension of the measure for limitation of freedom of movement – accommodation in a Reception Centre for Foreigners, shall be integral part of and reasoned in the request for an extension of the measure for limitation of freedom of movement.

(5) Upon request for an extension of the limitation of freedom of movement referred to in paragraphs (1) and (2) of this Article, the competent organizational unit for asylum shall deliver a request to the competent organizational unit for border affairs and migration for extension of the measure for limitation of freedom of movement – accommodation in a Reception Centre for Foreigners.

(6) The competent organizational unit for border affairs and migration shall prepare a new decision for extension of the limitation of freedom of movement of the applicant within the Reception Centre for Foreigners.

Article 5

(1) The measure for limitation of freedom of movement – accommodation in a Reception Centre for Foreigners may be terminated even prior to the expiry of the duration period defined in the decision for limitation of freedom of movement, in case where the reasons for imposing of the measure cease.

(2) The cessation of the reasons for imposing a measure for limitation of freedom of movement shall be ascertained by the organizational unit within the Ministry competent to act in cases referred to in Article 63, paragraph (2), indents 1, 3 and 4 of the Law, and shall inform thereof the competent organizational unit for asylum.

(3) In cases referred to in Article 63, paragraph (2), indent 2 of the Law, the competent organizational unit for asylum shall ascertain the cessation of the reasons for imposing a measure for limitation of freedom of movement of an applicant, and shall inform in writing the competent organizational unit for border affairs and migration.

(4) Upon the ascertained cessation of the reasons referred to in paragraphs (1) and (2) of this Article, the competent organizational unit for asylum shall inform in writing the competent organizational unit for border affairs and migration, of the need for cessation of the measure for limitation of freedom of movement of an applicant in the Reception Centre for Foreigners.

(5) The competent organizational unit for border affairs and migration prepares a decision for cessation of the measure for limitation of freedom of movement in the Reception Centre for Foreigners.

(6) The competent organizational unit for asylum shall inform the applicant in writing of the taken decision for cessation of the measure for limitation of freedom of movement in the Reception Centre for Foreigners.

Article 6

The decision for prohibition of movement outside of the Reception Centre for Asylum Seekers, or another location of accommodation for the applicant determined by the Ministry of Labor and Social Policy, as well as the extension or the termination of the decision by which the measure was imposed, shall be prepared by the competent organizational unit for asylum for the cases referred to in Article 63, paragraph (2) of the Law.

Article 7

This Rulebook shall enter into force on the first day after its announcement in the “Official Gazette of the Republic of Macedonia”.

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Skopje

Minister
of Interior
Oliver Spasovski