

State of the Rule of Law in Europe in 2022

Reports from National
Human Rights Institutions

North Macedonia



North Macedonia

Ombudsman Office of North Macedonia

Impact of 2021 rule of law reporting

Follow-up by State authorities

In 2021 the Ombudsman Office timely submitted the Annual Report for 2020 and the Report was presented before members of parliament in the Macedonian Assembly few months later (with a delay due to the Assembly schedule). As far as the measures envisaged with the Law on the Ombudsman, they were adopted by the Assembly, as a responsible body for that action, only in December 2021. However, no particular measures were taken by the state authorities to address the issues identified in the ENNHRI 2021 Rule of Law Report.

Nonetheless, North Macedonia has been regularly monitored by various EU bodies as a Candidate Country for EU accession. In this context, the European Commission (EC) prepares a Country Report and publishes it annually. North Macedonia as a Candidate country already works and acts upon recommendations given annually in the EC Country Report. For the level of implementation of the recommendations, every year in November a Subcommittee for Fundamental Rights and Rule of Law between the European Commission and North Macedonia takes place where the Ombudsman office participates and presents its main/key views on the human rights situation in the country. In this context, the country is obliged to act upon the recommendations drafted in the Report and report back on a quarterly basis. The Ombudsman Office as a National Human Rights Institution regularly contributes to the Country Report and submits views, comments and information to the relevant state bodies that are required to quarterly report back to the EC on the progress achieved by the country on the recommendations included in the EC Country Reports.

References

- https://ombudsman.mk/Почетна/Посебни_извештаи/Посебни_извештаи-Недискриминација.aspx
- https://ombudsman.mk/Почетна/Посебни_извештаи/Посебни_извештаи-Детски_права.aspx

- https://ombudsman.mk/Почетна/Посебни_извештаи/Посебни_извештаи-Социјала.aspx

Follow-up initiatives by the Institution

The Ombudsman office every year works as per its plan of action and priorities, thus undertaking various researches, surveys and other type of monitoring of the human rights situation in the country. The Ombudsman is an independent body and decides independently its own priorities, plans and actions.

The Ombudsman Office every year prepares its Annual Report on the level of respect, promotion and implementation of human rights and freedoms and other thematic reports as per its institutional yearly plan of action. In 2021, the Institution prepared reports on statelessness, the understanding and regulation of the institute of asylum within the Macedonian legal framework, a special report on the principle of adequate and equitable representation of minor communities in the country, several special reports and information on children rights and social rights. The Institution also regularly reports towards the European Commission' Country Report and the USA State Department Report on Human Rights. The Ombudsman engages in reporting on quarterly basis to the Rule of Law working group on Justice and Home Affairs, as the country is obliged to report on the level of implementation of the recommendations given by the EU in the Country report.

NHRI's Recommendations to National and European policy makers

The Ombudsman recommends to ENNHRI to consider organising an event in Brussels for a specific region such as the Western Balkans, bringing together the relevant stakeholders of the targeted countries and present the ENNHRI Rule of Law report. This could be an opportunity to raise awareness about the reporting exercise' objective and impact with a view to increasing engagement on the reports' findings and follow-up action needed.

As already suggested, the annual ENNHRI Rule of Law Report could also be made available in the national and local languages to increase dissemination and make it more easily accessible in each country.

Independence and effectiveness of the NHRI

The Ombudsman reports a deterioration of the situation as regards the NHRI's financial independence and thus, effectiveness compared to last year. The main problematic issues, as illustrated below, concern challenges to the institution's financial independence and capacity. In particular, the budget for 2022 was seriously reduced by the Government,

putting at risk the functionality of the institution and the independent implementation of its workplan.

International accreditation status and SCA recommendations

The Ombudsman of the Republic of Macedonia was accredited with B-status in October 2011. (1)

The SCA acknowledged the NHRI's human rights promotional activities and encouraged it to continue to interpret its mandate in a broad fashion. Additionally, it encouraged the NHRI to advocate for a wider mandate that includes all human rights set out in international, regional and domestic instruments, covers all areas of human rights and gives explicit protection and promotion functions in all human rights.

Further, the SCA encouraged the NHRI to advocate for legislative amendments to the selection process that would include requirements to publicise vacancies, maximise the number of potential candidates, promote board consultation and participation in the process and ensure pluralism in the composition of staff.

The SCA emphasised the importance of the NHRI engaging with the international human rights system, encouraging it to actively engage with GANHRI, ENNHRI, as well as international and national NGOs and civil society organizations.

Finally, the SCA noted with concern that the NHRI had not been provided the sufficient funding to carry out its additional responsibility as the NPM under the OPCAT. It urged the government to provide the NHRI with the necessary financial resources to enable it to fulfil this obligation.

References

- (1) https://www.ohchr.org/sites/default/files/Documents/Countries/NHRI/GANHRI/SCA_REPORT_OCTOBER_2011_-_FINAL_%28with_annexes%29.pdf

Regulatory framework

The national regulatory framework applicable to the Ombudsman Office of North Macedonia has not changed since last year. The NHRI continues to function on a constitutional basis. The Ombudsman has the mandate to contribute to access to justice for individuals, including through complaints handling, providing legal assistance to individuals, awareness-raising. The Ombudsman also performs numerous, additional competences, such as National Preventive Mechanism, Civil Control Mechanism, National Rapporteur on trafficking in human beings and illegal migration, Mechanism for monitoring of the implementation of the UN Convention on persons with disabilities,

Children Rights, Amicus Curiae. Thus, the NHRI from North Macedonia holds a very strong mandate.

Enabling and safe space

The Ombudsman Office has not been made an object of intimidations or interferences in its work. However, despite the NHRI's strong mandate, the institution constantly struggles to strengthen its recognition in order to secure full functional and financial independence. Although the NHRI's mandate and powers are granted directly by the Constitution, the authorities' practices jeopardise the NHRI's independence and effectiveness.

The Ombudsman raises serious concerns over a lack of sufficient human resources in its office, in order to perform the Ombudsman's tasks effectively. The Ombudsman Office has limited staff members but numerous competences, such as the multiple reporting of the institution towards various bodies, mainly EU bodies/commissions. North Macedonia is a country under constant monitoring of various international bodies and has an obligation to cooperate and act upon their findings.

The most pressing issue in respect to safeguarding an independent functioning of the Macedonian NHRI is the need for appropriate, sufficient budget and for ensuring financial autonomy. The budget for 2022 was significantly reduced in comparison to the budget of 2021 or the previous years, despite the Ombudsman's wide range of competences. Moreover, the Ombudsman is not granted the freedom to set and implement its budget according to its needs. In 2021, after an agreement was reached on the Ombudsman's budget during a meeting with the Minister of Finance, the institution's budget was re-discussed and reduced by decision of Government members, taken during a separate session to which the Ombudsman office was not invited. According to existing standards on the independent functioning of NHRIs, authorities should refrain from requiring the institution to discuss or explain its workplan and priorities, and related budget plans and financial needs, to the Government or the Ministries.

The Annual Report of 2020 was presented in the Assembly with a delay due to various reasons: appointment of the new Ombudsman, Covid-19 restrictions, the sessions of the Assembly and the negative relations between the ruling party and opposition. Importantly, following the Ombudsman's recommendations the Assembly drafted the measures and obliges the Government to implement. Those measures were, however, only adopted in December 2021. Delays in relevant appointments also hinder the work of the institution. For example, the Ombudsman's deputies whose posts were vacant since June 2021 (5 posts in total), have not been appointed yet by the Assembly.

Similarly, the selection of civil society representatives to the Ombudsman – Civil Control Mechanism has not been completed yet by the Assembly, even though a public call for candidatures was successfully held in June/July 2021. The Ombudsman’s Civil Control Mechanism is a part of the External Oversight Mechanism which consists also of the Prosecution Office and a Sector for internal control of the Ministry of Interior. As a Civil Control Mechanism, the Ombudsman, together with representatives from civil society organisations, takes actions and measures to ensure support and protection of the victims, their rights in all procedures that are conducted by the state administrative bodies, the prosecution office, and the courts through efficient and transparent control of the actions taken by the police and by members of penitentiary police. This relates to the situation of exercising their official duties which constitute criminal offenses, also those committed off duty by using serious threat, force or coercive means resulting in death, severe bodily injury, bodily injury, unlawful deprivation of freedom, torture and other cruel, inhuman or humiliating treatment or punishment if criminal prosecution ex officio is foreseen by law.

As regards the Ombudsman’s involvement in law and policy making with human rights implications, the Institution has adequate access to information and to policy makers and it is involved in all stages of legislation and policy making with human rights implications.

Existing law also obliges the addressees of the NHRI’s recommendations to provide a timely and reasoned reply to its recommendations. In particular, the Law on the Ombudsman obliges the Assembly to establish measures for implementation of the recommendations given in the Ombudsman’s Annual Report. The Assembly delivers the measures to the Government for further action and implementation. The Government informs the Assembly on the level of recommendations’ implementation every six months. However, the Ombudsman regrets that the government does not reflect, in practice, a sufficient understanding on the vital role of the Ombudsman Office and the need of a proper and efficient implementation of its recommendations. Last year the Ombudsman Office prepared an analysis on the manner of cooperation of the state authorities with the Ombudsman and the manner of implementation of its recommendations. The findings confirmed that only 1/3 of the requests submitted by the Ombudsman were granted a reply in a timely manner, around 40% of the responses were received only after 2 or 3 Ombudsman’s interventions, whereas around 10% of the Ombudsman’s requests were not followed by any reply from the state authorities. Sadly, for example, the Public Prosecutor’s Office of the Republic of North Macedonia tends to not respond to the Ombudsman’s requests at all. In several cases a formal Prosecutor’s response was submitted only after several reminder letters being re-submitted.

References

- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Interni%20akti/Zakon%20na%20NP/Preisten%20tekst%20na%20Zakon%20za%20NP-29.03.2018.pdf>

Developments relevant for the independent and effective fulfilment of the NHRIs' mandate

The Ombudsman Office has been granted B status in 2011 and has not re-applied since. The reasons lie mainly in the general functioning of the institution but also in the amendments introduced with the Law on the Ombudsman and the competences granted in 2016 and 2018, whose impact still needs to be fully assessed.

As mentioned above, the adequate implementation of the NHRI's mandate requires additional financial and human resources, as well as adequate training for staff which will subsequently result in success of the accomplished work.

On a positive note, since September 2020 and throughout 2021, with the support of United Nations Office for Project Services (UNOPS), the Ombudsman Office' general functioning was assessed by an international expert and several trainings were delivered. In 2021 a new, five-year project, IPA 2020 (EU Support for Rule of Law – Republic of North Macedonia) and its Component 4 – Fundamental Rights has started with its implementation. In the course of four years the Ombudsman expects to obtain a variety of trainings for its staff. The project will also allow the Ombudsman Office to continue benefitting from the support provided by the UNOPS expert.

NHRI's recommendations to national and regional authorities

- Ensure adequate budget for the NHRI and guarantee its independence in deciding on how to allocate the financial resources accordingly to the institution's needs;
- Ensure independent allocation of resources, by preventing the NHRI from being obliged to discuss and explain to the state authorities its financial needs and spending plan.

Human rights defenders and civil society space

NHRI's role in promoting and protecting civil society space and human rights defenders

As reported in the previous years, the Ombudsman Office continued to engage in a very close cooperation with the civil society sector. Such cooperation has been ongoing for

many years for example in the context of the NHRI's work as National Preventive Mechanism, Civil Control Mechanism, National rapporteur on human trafficking and illegal migration. Such cooperation takes the form of regular exchanges of views and information as well as the co-organisation of joint events.

In December 2021 the Ombudsman signed a Memorandum of Understanding with the NGOs to enhance cooperation in the field of protection and promotion of the rights of persons with disabilities. This is a key component of the NHRI's efforts to ensure the implementation of the UN Convention on the rights of persons with disabilities.

References

- <https://ombudsman.mk/Почетна/Активности/СО ПОТПИШУВАЊЕ НА МЕМОРА НДУМ ЗА СОРАБОТКА СО НЕВЛАДИНИТЕ ОРГАНИЗАЦИИ ОДБЕЛЕЖАН МЕЃ УНАРОДНИОТ ДЕН НА ЛИЦАТА СО ПОПРЕЧЕНОСТ 03.12.2021, СКОПЈЕ.aspx>

Checks and balances

Throughout 2021 the Ombudsman Office received 2686 complaints. As it was the case in the earlier years, the highest number among them concerned the area of judiciary – 436, followed by children rights - 254, consumers' rights – 228 and labour rights – 218.

The identified problems in the area of judiciary were explained in more details under the section "Justice system" in this country report. With regards to consumer rights, citizens mainly complaint about the companies providing public services, such as electricity, water and heating, for example irregular monitoring of the spent resources in the households results in high bills and debts the citizens have towards these companies. On top of it, the pandemic and the global energy crisis in respect the price of the electricity/gas has also affected the budget of the citizens who has already been in a very poor condition.

When it comes to children rights, the complaints are mainly towards unequal division of resources in terms of the newly introduced digitalization in the elementary school, then in respect the equal treatment of children with disabilities, rights of the child to maintain contacts with the parent he/she does not live with, registration of the newly born children etc. There are more apparent cases of child abuse in schools and violence among children (peer violence) but also online.

The Ombudsman includes all reported and identified issues in its publications and recommendations addressed to state authorities.

Based on the number and the nature of citizens' complaints received, the Ombudsman observes a rather low level of trust of citizens towards public authorities.

NHRIs as part of the system of checks and balances

Besides assessing and acting upon complaints, the Ombudsman proactively monitors the authorities' responses to human rights related challenges affecting society.

During 2019 and 2020 (as of May 2020), the Ombudsman conducted a survey on the situation of domestic violence in the country, embracing the competent authorities who are directly involved in the investigation and clarification of cases in this area. Given the identified conditions, the Ombudsman recommended the competent authorities, among others, to timely act and prevent domestic violence and to take appropriate measures for protection of victims.

In the reporting year, a special focus was also placed on the perception of the situation in the educational system, with an emphasis on students with disabilities. For that purpose, a wide range of research was conducted and a series of special reports were prepared to reflect identified challenges.

In addition, in 2021 the Ombudsman carried out two additional surveys, one on the principles of adequate and equitable representation of minority groups and the second one on gender representation in the public sector.

In the scope of the IPA 2020 project: EU Support for the Rule of Law – Republic of North Macedonia, the issues of gender discrimination and gender based violence will be in depth analysed and two separate researches shall be produced. The Ombudsman will be part of both researches.

References

- The new Annual Report for 2021 was submitted to the Assembly by the end of March, later publicly presented and translated in English language and available on Ombudsman' website:
<https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Godisni%20izvestai/GI-2021/GI-2021-Ang.pdf>
- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Posebni%20izvestai/2021/Semejno%20nasilstvo.pdf>
- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/documents/SPZ/lzvestaj-SPZ-2020-etnicka-zbirno-final.pdf>
- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/documents/SPZ/lzvestaj-SPZ-2020-po%20pol-zbirno-final.pdf>

NHRI's recommendations to national and regional authorities

State authorities should implement the NHRI's recommendations in a timely and effective manner to address human rights issues identified in the individuals' complaints notified to the Ombudsman, in order to improve state responses, foster accountability and increase public trust in state authorities. This includes, for example, taking steps to:

- safeguard equal treatment of children in the whole territory of the country;
- undertake effective measures for prompt and complete inclusion of children with disabilities in the education process by providing personal assistants;
- ensure timely and prompt information for citizens by providers of basic public services (provision of electricity, water, heating).

Functioning of the justice system

Throughout 2021 the Ombudsman was addressed 436 complaints concerning the functioning of the judiciary. This represents a slight increase compared to 2020, where complaints submitted in this area were 406. The number of complaints regarding access to justice also remains high.

Statistically, most of the complaints are referring to the field of justice, of which almost a third was referred to the work of enforcement agents. In this segment, the Ombudsman notes a smaller number of violations committed through the enforcement procedure, but reaffirms the opinion that systemic changes are needed regarding the calculation of interest, in order to not be able to collect interest that would be higher than the principal debt, i.e. when the interest reaches the main debt, to stop flowing. This is because the current legal provisions bring situations in which the interest paid by the debtor is sometimes almost three times higher than the main debt. Many of the complaints were submitted in the field of consumer rights, especially in the area of electricity delivery, and there was a large number of complaints in the field of labour relations, where complaints / criticisms about unfounded initiation of disciplinary proceedings, the right to annual vacation, job replacement, non-compliance with the legal provisions during promotion, etc.

Through the analysis of the content of the complaints and the case proceedings, it is concluded that the citizens in the most part, in this area seek protection of their rights in the context of first and second instance criminal and civil proceedings, proceedings before the administrative courts, as well as the proceedings in front of the persons with public authority - lawyers and notaries. Subsequently, regarding the work of the judiciary, the citizens often requested Ombudsman intervention in order to obtain information which

they could not get from the courts, such as, information about the stage of the procedure, the number under which it is the court case is registered, whether an expedition of documents between courts has been performed, for non-compliance with the principle of trial within a reasonable time and similar.

Regarding the unjustified delay of the proceedings and the non-compliance with the principle of trial within a reasonable time, the Ombudsman found a number of violations by the Basic Civil Court Skopje, especially in employment disputes. In order to eliminate the identified violations, the Ombudsman gave several recommendations and indications on the manner of their removal, i.e., pointed out the need for the Court to respect the principle of trial within a reasonable time and to make decisions within the legally determined deadline without any formal excuses.

A significant part of the complaints in this area also referred to the work of the administrative courts, and although the new Law on Administrative Disputes was adopted and is in force, the citizens still complain about the same problems, i.e., the long duration of these procedures, non-holding of public hearings and failure to make merit decisions. Based on the case proceedings, the Ombudsman concludes that the delay of these proceedings is due to lack of proper communication between state institutions and the ignorant attitude towards the requests of the Administrative Court to submit documents, due to which the procedures are long-lasting and cause dissatisfaction among citizens. In this segment, it is not doubtful that all the delivery and realization of judgments and decisions to the parties and to the Higher Administrative Court when deciding on an appeal against a decision of the Administrative Court, is delayed sometimes for a several months.

The Administrative Court, even after the requests of the Ombudsman, does not submit timely replies, and they do not contain the requested information or are of a formal character. Therefore, the Ombudsman is forced to take actions which indicate to the Administrative Court the essential need to respect the competencies of the Ombudsman, which contribute, i.e., are completely aimed at protecting the constitutional and legal rights of the citizens and all other persons, including in front of this court.

The submitted claims in the field of property-legal relations once again confirmed the fact that the denationalization process is not completed even after more than twenty years, due to the fact that the denationalization commissions and the Administrative Court continue to transfer the cases between each other, consequently delaying these proceedings indeterminately causing disadvantage of the citizens.

In 2021, 71 complaints were registered to the Ombudsman in the field of prosecution, a number that is more than doubled compared to the previous year (32). The growth in the number of complaints in this area is due to the fact that the prosecution in accordance with the legal authorization is not obliged to inform the citizens about the sequence and the phase of the procedure, which in turn leads citizens to complain about the work of the prosecution and delay of the procedure.

The submitters of criminal charges, as well as persons who have a status as suspects in the procedure, are complaining about the work of the prosecutor's offices and the complaints are referring to: the delay of the procedure after a criminal charge, failure to make a public prosecutor's decision, failure to notify the parties for the manner of acting and the progression of the procedure, not undertaking the necessary investigative actions in accordance with the Law on Criminal Procedure, not allowing inspection of the files and getting acquainted with the evidence of the case and the similar. If in the 2020 year, the Ombudsman found improved communication of the prosecution, in terms of submitting timely and substantial responses to the requests of the Ombudsman, for 2021 year the situation is quite the opposite. This refers to the Basic Public Prosecutor's Office Skopje and the Higher Public Prosecutor's Office Skopje, which in most cases act untimely, submitting incomplete answers, so in order to receive the necessary notifications, the Ombudsman was forced to submit Urgencies in all cases.

Role of the NHRI in contributing to the effective functioning of the justice system

The Ombudsman acts in a timely manner regarding complaints received on the functioning of the justice system.

The Ombudsman recommends that the courts must respect the legally prescribed deadlines that refer to the employment procedures because these are cases where the citizens exercise their right to rudimentary existence.

The courts should also provide conditions and space capacities for taking over, keeping and updating an appropriate register of the archived cases of the notaries who no longer perform the activity.

In response to complaints requesting a change of court decisions or denouncing the allegedly unprofessional or unscrupulous work of courts and judges, the Ombudsman advised the applicants and suggested them to seek further protection before the Judicial Council of the Republic of North Macedonia, as the body competent to assess and act upon such allegations.

As regards complaints concerning the functioning of the Administrative Court, the Ombudsman concluded that the delay of these proceedings is often due to a lack of

communication between state bodies and the disregard by those bodies of the requests of the Administrative Court which results in long proceedings, causing dissatisfaction among citizens. Sometimes the delivery and communication of judgments and decisions to the parties and to the Higher Administrative Court (when deciding upon an appeal) are made with a delay of even several months.

As regards the Prosecutor's Office, the Ombudsman stressed the need for the Prosecution to seriously take note of the harm caused to citizens by the failure to take timely actions and measures, which hinders the exercise of citizens' rights.

NHRI's recommendations to national and regional authorities

- The cooperation between the judiciary, especially the Basic Civil Court and the Administrative Court and the Ombudsman remains at an unsatisfactory level and therefore should be improved;
- The courts must respect the legally prescribed deadlines in particular in cases related to employment disputes;
- The Public Prosecutor's Office should act in a timely manner and submit timely, appropriate and reasoned answers to the requests of the Ombudsman.

Impact of measures taken in response to COVID-19 on the national rule of law environment

In the Ombudsman's opinion the impact of COVID-19 measures on the national rule of law environment in 2021 has been mitigated compared to last year.

North Macedonia has had among the highest mortality rates from Covid-19 in the world. The already weak public healthcare system was under great strain while private facilities are not easily accessible for the majority of the population due to the high costs of the healthcare services provided.

The vaccination campaign started with delay compared to the other countries of the region.

By the date of this reporting (March 2022), 869.763 citizens have been vaccinated, out of a total population of more than 1.8 million. At the moment a third, booster doze is being offered but the vaccination uptake remains low.

In the first half of 2021 the measures in place limited freedom of movement, led to the closure of places of entertainment, rendered remote working compulsory, determined the temporary closure of schools and kindergartens and to the suspension of any type of

public events. Since June 2021, however, life started getting back to normal despite some measures still being in place for the prevention of outbreaks and protection from the virus.

Once the vaccination campaign started to be rolled out, authorities started allowing free movement and access to services only to fully vaccinated citizens.

Most significant impacts of measures taken in response to the COVID-19 outbreak on the rule of law and human rights protection

The pandemic persisted in North Macedonia in the reporting year, imposing the need to introduce certain restrictions in order to protect citizens' health.

The pandemic especially affected the persons in a precarious socio-economic situation, in particular as regards the enjoyment of social security and protection and the realization of the right for compensation of assistance and care from another person. Resources proved insufficient to respond to the high number of requests for compensation, leaving a large number of citizens waiting for months to get such compensation. The Ombudsman addressed a recommendation to the competent ministry on the matter, which led to resources being increased during the year.

Overall, the pandemic majorly impacted on people's general quality of life. It also resulted in higher poverty rates among the population. The energy crisis currently facing Europe particularly affects the citizens of North Macedonia and has further worsened the socio-economic conditions of many citizens.

The number of complaints addressed to the Institution in the field of children's rights significantly increased, especially in relation to the enjoyment of the right to education: among the main issues raised, citizens complained about the decision to introduce digital manuals in primary educations, as well as gaps in providing personal and educational assistants to support students with disabilities within municipal primary schools.

Actions taken by the NHRI to promote and protect rule of law and human rights in the crisis context

The Ombudsman office promptly monitors the impact on human rights of COVID-19 and the measures taken to address it. On this basis, it has undertaken several actions to alert public authorities on existing challenges and to inform citizens about their rights. In that light during 2020 several surveys were prepared on distant learning systems, the respect of the rights of persons with disabilities, and access to health services for persons deprived of liberty. The government took into consideration the Ombudsman's recommendations

given in those reports. At the moment the situation with Covid-19 is under control and no restrictions are in place.

References

- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Posebni%20izvestaj/2020/Poseben%20izvestaj-lica%20smesteni%20vo%20von-institucionalna%20forma-2020.pdf>
- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Posebni%20izvestaj/2020/Poseben%20izvestaj-lica%20smesteni%20vo%20von-institucionalna%20forma-2020.pdf>
- <http://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Posebni%20izvestaj/2020/Posebni%20izvestaj%20-%20nastava%20vo%20posebnite%20ucilista.pdf>

Most important challenges due to COVID-19 for the NHRI's functioning

Throughout 2020 and the first half of 2021, the institution switched to remote working, and was obliged to perform functions in shifts and to suspend field visits (in particular to places of deprivation of liberty). The situation has progressively improved since June 2021, and the Office could resume its everyday functions, start again to receive citizens in the office in-person (instead of on the phone or by email) and resume the field visits, in particular to places of deprivation of liberty. In the second half of 2021, the Office, as National Preventive Mechanism, visited 4 penitentiary-correctional institutions, 7 prisons and 1 educational-correctional institution in the country. The team also carried out a number of police stations visits as well as monitoring visits to custodial facilities for migrants and asylum seekers.

NHRI's recommendations to national and regional authorities

It is expected that this time, the members of the parliament, after reviewing the Report, will timely determine the measures by which the Government will have to act, in order to improve the general situation regarding the rule of law and provide assumptions for a higher degree of protection and realization of the rights of citizens.