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Macedonia: Completely failing to guarantee human rights

As the political crisis continues in the former Yugoslav Republic of Macedonia, the government's human rights record will be reviewed by the UN Human Rights Committee on 2-3 July.

Ahead of the meeting, Amnesty International has submitted a briefing to the Human Rights Committee, which documents the Macedonian government's violation of the rights set out in the International Covenant on Civil and Political Rights (the Covenant), and makes a series of recommendations to the Macedonian authorities.

Amnesty International's report is submitted in the context of an ongoing crisis of confidence in the government, which has followed the so-called "wire-tapping" scandal, and the publication of surveillance tapes of conversations between government officials, the content of which has exposed the undermining of the rule of law and human rights to such an extent that the credibility and integrity of the government has been called into question.

In this context, the organization notes that responsibility for the surveillance itself has been clearly attributed to an over-powerful national security service (UBK), acting beyond its legal mandate and in the absence of effective oversight.ⁱ

Amnesty International believes that until such time as a full and impartial inquiry is conducted into the allegations of criminality, corruption and misconduct at the heart of the Macedonian government, as suggested by the content of the recordings, Macedonia will be unable to protect and respect the rights set out in the Covenant.

Long-standing concerns about the lack of independence of the judiciary, including the office of the State Prosecutor, have been brought to the fore by published surveillance tapes, which have illustrated the degree of government control over and lack of respect for the independence of these institutions. Immediate measures must be taken to restore the rule of law, and respect for the independence of the judiciary.

Amnesty International also adds its voice to the growing international concern over interference in the right to the freedom of expression in Macedonia, including the surveillance of an estimated 2,000 journalists, and urges that the government ceases its attempts to control and influence print, broadcast and electronic media.

Concerns that the rights of refugees and migrants are not respected in Macedonia are highlighted in the unlawful detention, including of unaccompanied minors and other children, in inhuman and degrading conditions at the Reception Centre for Foreigners at Gazi Baba. Amnesty International urges Macedonia to end the arbitrary detention of irregular migrants and refugees and ensure respect for the rights of refugees who are denied access to international protection through inadequate implementation of the Asylum Law.

The organization calls on Macedonia to deliver justice and reparation to the victims of long standing violations of international humanitarian and human rights law, including victims of war crimes and relatives of the missing, who have been denied access to justice, truth and reparation for crimes under international law, which took place during the 2001 internal armed conflict.

Amnesty International calls on the authorities to conduct an effective investigation into the rendition and enforced disappearance of Khaled el-Masri, as required by the ruling of the European Court of Human Rights in December 2012. Khaled el-Masri is a German national of Lebanese descent, who in 2003, was subjected to enforced disappearance by the Macedonian authorities, as part of the CIA's rendition and secret detention programme.

The submission also documents Macedonia's continued refusal to respect and protect the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people is documented, and the failure to effectively investigate hate crimes against LGBTI individuals and LGBTI rights organizations. Amnesty International calls for those suspected of criminal responsibility for such threats and attacks to be brought to trial.

Further information

Amnesty International, *Former Yugoslav Republic of Macedonia, Submission to the Human Rights Committee, 114th Session (29 June 2015 - 24 July 2015)*, <https://www.amnesty.org/en/documents/eur65/1768/2015/en/>

Amnesty International's new report, *Europe's Borderlands: Violations of the rights of refugees and migrants in Macedonia, Serbia and Hungary*, will be published on 7 July 2015.

Public Document

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ⁱ *The former Yugoslav Republic of Macedonia: Recommendations of the Senior Experts' Group on systemic Rule of Law issues relating to the communications interception revealed in Spring 2015*, 9 June 2015, http://ec.europa.eu/enlargement/news_corner/news/news-files/20150619_recommendations_of_the_senior_experts_group.pdf