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PERMANENT MISSION OF THE REPUBLIC OF NORTH MACEDONIA  
TO THE UN, WTO AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA

N° 16-01-380/4

The Permanent Mission of the Republic of North Macedonia to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honor to enclose the replies concerning the human rights in context of peaceful protests pursuant to Resolution 38/11 of the Human Rights Council.

The Permanent Mission of the Republic of North Macedonia to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest considerations.

15 November, 2019



OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS  
GENEVA

The conduct of entities in the context of public assemblies is regulated by the Law on Public Assembly (Official Gazette of the Republic of Macedonia No. 155/95, 19/06, 66/07 and 125/15), outlining no provisions relating to the use of new technologies. In keeping with this Law and the Law on Police (Official Gazette of the Republic of Macedonia No. 114/06, 148/08, 6/09, 145/12, 41/14, 33/15, 31/16, 106/16, 120/16, 21/18 and 64/18), as well as the Rulebook on the Manner of Performing Police Affairs (Official Gazette of the Republic of Macedonia No. 149/07, 86/11, 110/11, 117/14, 14 / 17, and 49/17), a Standard Operating Procedure (SOP) for Maintaining Public Order and Peace through Regular Police Work at Public Gatherings and Sports Competitions was adopted. The SOP does not provide for the use of modern technologies by police officers in the pursuance of their duties at public gatherings. These regulations rather provide for the methods of communication and facilitation of public gatherings, establishing and maintaining cooperation with organizers, and observing human rights during peaceful protests.

In keeping with the Law on Police, when taking action within police authority, the Ministry of the Interior may use audio and video recording technology to record material (audio and video recordings) on the manner in which police officers exercise their duties. The recorded material allows for increasing the degree of justification of actions taken by police officers, all with a view to ensuring that they act legitimately and appropriately in the exercise of their police powers as provided by law. The recorded material is kept at the Ministry of the Interior for 45 days, following which the material is destroyed, except for the material used as evidence in criminal or misdemeanour procedures, with it being handled as set out under law.

Pursuant to the Law on Public Assembly, should the life, health, security, personal security and property of citizens be placed under threat, as well as should criminal acts established as such by law be committed or incited to be committed, and should the environment be endangered at a public rally, the Ministry of the Interior suspends the public rally in question.

Should the legal prerequisites be met, the police is further authorized to use means of coercion as set out under the Law on Police to a proportionate extent, whereas, should the conditions be met for the police to use several different means of coercion simultaneously, the police elects to use which type of means of coercion to use which it deems to be causing any or minimal damage given the situation in question.

In the event of restoring public order and peace when disturbed on a larger scale, the police may use the following means of coercion as provided for under the Law on Police: physical force, police batons, restraint devices, devices to forcefully impede or

stop the movement of vehicles, and police dogs. These means of coercion may only be used when being ordered to do so by police officers in charge of relating police actions.

Taking all of the above into consideration, the conduct of the police in relation to public assembly is provided for and regulated by both laws and secondary legislation, whereby no action is permitted beyond the scope of law.