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**PERMANENT MISSION OF THE REPUBLIC OF MACEDONIA
TO THE UNITED NATIONS OFFICE AND OTHER INTERNATIONAL
ORGANIZATIONS IN GENEVA**

18 September, 2015

Via fax no.: 022 917 9008

**ATT TO: Mr. Karim Gherzraoui
Chief a.i. Special Procedures Branch
OHCHR Geneva**

Total no. of pages including this one: 5

COVER LETTER

HoM's Letter and Attachment are enclosed.

A handwritten signature in black ink, appearing to be 'Jm'.



**PERMANENT MISSION OF THE
REPUBLIC OF MACEDONIA**

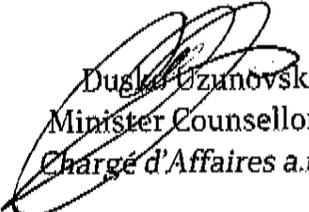
**Geneva
Head of Mission**

Geneva, 17 September, 2015

Dear Special Rapporteurs,

Further to my letter of 30 July 2015 I have to honor to submit additional information of the Government of the Republic of Macedonia regarding your Joint Urgent Appeal related to "alleged arbitrary detention and prosecution of a large number of individuals in the context of the peaceful protests from 5 to 13 May 2015 that took place in Skopje", Republic of Macedonia.

Dear Special Rapporteurs, please accept the assurances of my highest consideration.


Dugla Uzunovski
Minister Counsellor
Chargé d'Affaires a.i.

Mr. Seong-Phil Hong

Chair-Rapporteur of the WG on Arbitrary Detention

Mr. David Kaye

**Special Rapporteur on the promotion and protection of the right to freedom
opinion and expression**

Mr. Maina Kiai

**Special Rapporteur on the right to freedom of peaceful assembly and of
association**

Mr. Michel Forst

Special Rapporteur on the situation of human rights defenders

GENEVA

**ADDITIONAL INFORMATION BY THE REPUBLIC OF MACEDONIA IN
RESPONSE TO THE JOINT COMMUNICATION FROM SPECIAL PROCEDURES ON
THE PROTESTS IN SKOPJE FROM 5 TO 13 MAY 2015**

All proceedings conducted by the Basic Court Skopje 1 against sixteen defendants relate to committing the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code, involving the protests held in front of the building of the Government of the Republic of Macedonia, on 5 May 2015.

Namely, on 6 May 2015, upon a proposal from the Skopje Basic Public Prosecutor's Office to order detention for the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code, four persons were taken to the Basic Court Skopje 1 - Skopje. A pretrial judge gave them an eight-day detention starting from 5 May 2015 year.

On 14 May 2015, the Skopje Basic Public Prosecutor's Office filed an indictment with the Basic Court Skopje 1 - Skopje against these four persons for reasonable suspicion of committing the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code and related to protests held on 5 May 2015 year. On the same day, the competent judge determined that the conditions resulting from the provisions of the Criminal Procedure Code were satisfied. Accordingly, the judge extended the detention period for another 30 days for three defendants, while the detention was suspended for one defendant who was given penal precautionary measures.

After this indictment, a court case no. K 1513/15 was formed, for which the main hearing was scheduled for 2 June 2015.

After completion of the main hearing on 2 June 2015 concerning court case no. K.1513/15 a verdict was reached, while the two defendants, who pleaded guilty as charged, were pronounced guilty by the court and were imposed an alternative penal measure of a suspended conviction. This suspended conviction implies a prison sentence of 3 months, which would not be executed if during a period of one year they do not commit another crime. For one of these defendants, the court also handed down the penal measure of protective supervision with the obligation within one year to undergo treatment in an appropriate specialized institution while supervision was entrusted to and carried out by

competent social institution. At the same time, the court also abolished the detention for the two sentenced persons.

For the other two defendants who did not use the right arising from the provisions of the Criminal Procedure Code for pleading guilty, the court separated the proceedings and consequently the court case no. K.1696/15 was formed, for which the main hearing was scheduled for 5 June 2015 and for 10 June 2015. At the hearing held on 10 June 2015, the court announced its verdict. One defendant was imposed a prison sentence of 2 years and 4 months, and the other defendant was imposed an alternative penal measure of a suspended conviction which implies a prison sentence of 7 months that will not be executed if within 2 years he does not commit another crime. At the same time, the court also suspended the detention for this defendant.

On 8 May 2015, upon a proposal from the Skopje Basic Public Prosecutor's Office to order detention for the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code, eight persons were taken to the Basic Court Skopje 1 – Skopje. The competent pretrial judge gave detention to seven of them, while one person was sentenced to the alternative penal measure of house arrest, all in duration of 8 days. One person in absentia was also given detention.

On 15 May 2015, the Skopje Basic Public Prosecutor's Office filed an indictment with the Basic Court Skopje 1 – Skopje against these nine persons for reasonable suspicion of committing the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code and related to the protests held on 5 May 2015 year. On the same day, the competent judge considered that the conditions resulting from the provisions of the Criminal Procedure Code were satisfied and seven defendants were given further detention of 30 days, while one defendant was sentenced to house arrest. Following this indictment, a court case no. K.1523/15 was formed, in which the main hearing was set for 22 May 2015.

After completion of the main hearing on 22 May 2015, the court made a verdict, whereby eight defendants who pleaded guilty as charged were given alternative penal measure of a suspended conviction implying a prison sentence of 3 months that will not be executed if within one year they do not commit another crime. One defendant was sentenced to imprisonment of 10 months. At the same time, the court suspended the detention for all defendants, while one defendant was given precautionary penal measures.

On 14 May 2015, on a proposal from the Skopje Basic Public Prosecutor's Office to order detention for the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code, three persons were taken to the Basic Court Skopje 1 - Skopje. There the pretrial judge gave them an eight-day detention, while one person in absentia was also sentenced to detention.

On 21 May 2015, the Skopje Basic Public Prosecutor's Office filed an indictment with the Basic Court Skopje 1 - Skopje against these four persons for reasonable suspicion of committing the crime of Participation in crowd, which would prevent an official to perform duty under Article 384, paragraph 1, of the Criminal Code and related to the protests held on 5 May 2015. On the same day, the competent judge determined that the conditions resulting from the provisions of the Criminal Procedure Code were satisfied and all four defendants were given further detention of 30 days.

Following this indictment, the court case no. K.1563/15 was formed, for which the main hearing was set for 3 June 2015.

After completion of the main hearing on 3 June 2015, the court rendered its verdict whereby for three defendants who pleaded guilty as charged the court imposed an alternative penal measure of suspended conviction that implies a prison sentence of 3 months, which will not be executed if within one year they do not commit a new crime. The defendant who was tried in absentia was sentenced to imprisonment of 1 year. At the same time, the court suspended the detention for the defendants.