

Submission to the United Nations Human Rights Committee regarding North Macedonia's adherence to the International Covenant on Civil and Political Rights

Suggested List of Issues Prior to Reporting

Report for the 133rd Session of the Human Rights Committee

Submitted by:

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## **I. Reporting Organisation**

1. Border Violence Monitoring Network<sup>1</sup> (BVMN) is a coalition of organisations working to document illegal pushbacks, collective expulsions and police violence along the EU's external borders in the Western Balkans, Greece and Turkey since the network's formulation in 2016. The collection of data on illegal pushbacks and police violence is done by a consortium of independent field volunteers who are part of or cooperate with humanitarian support groups united through the Border Violence Monitoring Network.

## **II. Executive Summary**

2. Despite the ratification of the International Covenant on Civil and Political Rights (ICCPR), we assert that North Macedonia has failed to meet its obligations under the ICCPR.

3. We affirm that the continuous treatment carried out against refugees and migrants by the North Macedonian authorities, including actions of pushbacks, refoulement, use of violence, torture and inhuman conditions within detention centres, is in contradiction to the obligations set out under the Covenant.

4. We assert that the widespread use of illegal pushbacks against people-on-the-move by North Macedonian authorities, and the systematic use of torture, inhuman treatment or arbitrary and incommunicado detention during the pushback process is in violation of the following articles of the covenant:

Article 6 of the International Covenant on Civil and Political Right

Article 7 of the International Covenant on Civil and Political Rights

Article 9 of the International Covenant on Civil and Political Rights

Article 10 of the International Covenant on Civil and Political Rights

Article 13 of the International Covenant on Civil and Political Rights

5. Furthermore, as set out in Article 6 and 7 of the ICCPR, States have an obligation not to return a person where there are substantial grounds for believing that there is a real risk of irreparable harm. Due to the substantial risk of North Macedonian authorities facilitating chain-pushbacks, whereby people-on-the-move are exposed to further ill-treatment within the secondary countries of refoulement, we assert that the North Macedonian State is in further breach of the Covenant.

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<sup>1</sup> Border Violence Monitoring Network, About us - who we are, available at: <https://www.borderviolence.eu/about/>

### III. Pushbacks, Collective Expulsion and Refoulement as a Violation of the International Covenant on Civil and Political Rights

**Article 6 ICCPR:** Article 6 of the International Covenant on Civil and Political Rights

**Article 7 ICCPR:** Article 7 of the International Covenant on Civil and Political Rights

**Article 13 ICCPR:** Article 13 of the International Covenant on Civil and Political Rights

**CCPR General Comment No.20** (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment)<sup>20</sup>

**CCPR General Comment No. 31** (The Nature of the General Legal Obligation Imposed on States Parties to the Covenant)<sup>3</sup>

#### Explanatory note:

6. ‘Pushback’ is a common term to denote the action of State representatives forcibly and in most cases collectively returning individuals seeking protection to another country in an irregular/informal manner and subsequently preventing or restricting them access to protection mechanisms.

7. Pushbacks encompass the legal concept of collective expulsion and the principles of non-refoulement which are prohibited under Article 6 and Article 7 of the ICCPR. The United Nations Human Rights Committee has previously outlined that States must not expose individuals to danger or cruel, inhuman or degrading treatment or punishment upon return to another country by way of their extradition, expulsion or refoulement<sup>4</sup>. Furthermore, State parties are required to ensure these rights extend to persons who may not be in the States territory but fall under the States effective control<sup>5</sup>.

8. Furthermore, in addition to the existing obligations not to refool individuals to a country where they may be at risk of torture, the ICCPR also introduces the obligation of State Parties not to refool individuals to a country where they may be at risk of inhuman or degrading treatment and punishment.

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<sup>2</sup> UN Human Rights Committee (HRC), CCPR General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment), 10 March 1992. Available at: <https://www.refworld.org/docid/453883fb0.html>

<sup>3</sup> UN Human Rights Committee (HRC), General comment no. 31 [80], The nature of the general legal obligation imposed on States Parties to the Covenant, 26 May 2004, CCPR/C/21/Rev.1/Add.13, available at: <https://www.refworld.org/docid/478b26ae2.html>

<sup>4</sup> UN Human Rights Committee (HRC), CCPR General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment), 10 March 1992. Available at: <https://www.refworld.org/docid/453883fb0.html>

<sup>5</sup> UN Human Rights Committee (HRC), CCPR General Comment No.33 [80] The Nature of the General Obligation Imposed on State Parties to the Covenant, 26 May 2004. CCPR/C/21/Rev.1/Add.13. Available at: <https://www.refworld.org/docid/478b26ae2.html>

9. Moreover, the obligation set out under Article 2 of the ICCPR requiring that States Parties respect and ensure the Covenant rights for all persons in their territory and all persons under their control entails an obligation not to extradite, deport, expel or otherwise remove a person from their territory, where there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated by articles 6 and 7 of the Covenant, either in the country to which removal is to be effected or in any country to which the person may subsequently be removed. The relevant judicial and administrative authorities should be made aware of the need to ensure compliance with the Covenant obligations in such matters.

## Evidence

10. Since 2019, the Border Violence Monitoring Network has documented 44 pushbacks detailing the ill-treatment and abuse of 638 people:

10.1. In 2019, BVMN collected 7 pushback testimonies from North Macedonia, exposing the ill-treatment and abuse of an estimated 83 people<sup>6</sup>.

10.2. Again in 2020, BVMN collected 25 pushback testimonies from North Macedonia, exposing the ill-treatment and abuse of an estimated 541 people<sup>7</sup>.

10.3. Between the 1st of January to the 31st of May 2021, BVMN has collected 12 pushback testimonies from North Macedonia, exposing the ill-treatment and abuse of an estimated 69 people<sup>8</sup>.

11. The Border Violence Monitoring Network, through our field-based member organisations, have collected testimonies that recall North Macedonian authorities pushing back and refouling people to Greece. We assert that this destination of refoulement comes with considerable risk of further rights violations, and due to the systematic use of torture, intense violence and abuse carried out during pushbacks, we assert that pushbacks themselves should also be viewed as a violation of Articles 6 and 7 of ICCPR.

12. Additionally, due to the systematic practice of chain pushbacks which expel people-on-the-move to Europe's external borders by way of State cooperation, we assert a very real risk of eventual expulsion to Turkey from Greece. Due to North Macedonia's

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<sup>6</sup> Border Violence Monitoring Network (2021), Testimony database, available at: <https://www.borderviolence.eu/violence-reports/#>

<sup>7</sup> Ibid

<sup>8</sup> Ibid

knowledge of chain-pushbacks, this would also amount to a violation of Articles 6 and 7 of the ICCPR.

13. In addition to the reporting efforts of member organisations in the Border Violence Monitoring Network, a range of other international actors and civil society organisations have similarly documented North Macedonia's continued use of pushbacks.

13.1. In 2019, Save the Children<sup>9</sup> reported that more than one-third of refugee and migrant children encountered in the Serbian capital Belgrade in the period between July – September 2019 reported being pushed back from some border during their journey through the Balkans route. 88 cases of child pushbacks occurred at the North Macedonian border, with 45% being reported as violent. Recalling some of the testimonies collected from children, Save the Children documented how a minor from Afghanistan travelling with his adult cousin testified that he was violently returned five times from North Macedonia to Greece.

13.2. Amnesty International's 2020/2021 report<sup>10</sup> stated that “the NGO Macedonian Young Lawyers Association reported that by 30 September 24,153 refugees and migrants had been prevented from entering the country or were unlawfully pushed back to Greece.”

13.3. European Parliamentary resolution of 25 March 2021 on the 2019-2020 Commission Report on North Macedonia (2019/2174(INI))<sup>11</sup> calls for the further strengthening of international protection for those in need and for the prevention of violations of international law, such as alleged pushbacks; calls on the authorities to put in place an active monitoring mechanism, and to undertake the necessary steps to prevent these violations of international law.

13.4. In April 2021, Protecting Rights at Borders (PRAB) published a report that documented 5 cases of individuals experiencing pushbacks from North Macedonia to Greece during the first three months of 2021. RRAB and partners, including the Danish Refugee Council (DRC) Italy, DRC Greece, Greek Council for Refugees

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<sup>9</sup>Save the Children. (2019). Reports about push backs and violence against children at the Western Balkans border: July – September 2019. Available at: <https://nwb.savethechildren.net/news/reports-about-push-backs-and-violence-against-children-western-balkans-borders-july-september>

<sup>10</sup> Amnesty International. (2020). North Macedonia 2020. Available at: <https://www.amnesty.org/en/countries/europe-and-central-asia/north-macedonia/report-macedonia/>

<sup>11</sup> European Parliament. (2021). European Parliament resolution of 25 March 2021 on the 2019-2020 Commission Reports on North Macedonia (2019/2174(INI)). Available at: [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0114\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0114_EN.pdf)

(GCR), and others, argue that documented rights violations are just ‘the tip of the iceberg’.<sup>12</sup>

13.5. In 2021, Protecting Rights at Borders<sup>13</sup> documented the different rights violations that accompany pushbacks. Of these violations, physical violence is most frequently reported, followed by theft and destruction of property. Cases of abusive and degrading treatment and destruction of personal documents were also frequently reported. Protecting Rights at Borders reported that as many as 4000 persons may have experienced pushbacks to Greece during the first three months of 2021.

#### **IV. Torture and Inhuman Treatment During Pushbacks as a Violation of the International Covenant on Civil and Political Rights**

**Article 6 ICCPR:** Article 6 of the International Covenant on Civil and Political Rights

**Article 7 ICCPR:** Article 7 of the International Covenant on Civil and Political Rights

**Article 13 ICCPR:** Article 13 of the International Covenant on Civil and Political Rights

**CCPR General Comment No.20** (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment)<sup>140</sup>

**CCPR General Comment No. 31** (The Nature of the General Legal Obligation Imposed on States Parties to the Covenant)

#### **Explanatory Note**

14. Article 7 of the ICCPR clearly states that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”.

15. We assert that the systematic use of torture and inhuman treatment during pushbacks, which includes but is not limited to; the use of excessive and disproportionate force, the punitive use of electric discharge weapons and the prolonged forced exposure to extreme weather conditions, should be viewed by the Committee as a violation of Article 7.

16. Furthermore, due to the extreme violence enacted upon people-on-the-move, with a clear and persistent absence of access to medical treatment, often rendering them with

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<sup>12</sup> Protecting Rights at Borders. 2021. Pushing back responsibility. Rights violations as a ‘welcome treatment’ at Europe’s borders. Available at: [https://drc.ngo/media/mnglzsro/prab-report-january-may-2021-final\\_10052021.pdf](https://drc.ngo/media/mnglzsro/prab-report-january-may-2021-final_10052021.pdf)

<sup>13</sup> Protecting Rights at Borders. 2021. Pushing back responsibility. Rights violations as a ‘welcome treatment’ at Europe’s borders. Available at: [https://drc.ngo/media/mnglzsro/prab-report-january-may-2021-final\\_10052021.pdf](https://drc.ngo/media/mnglzsro/prab-report-january-may-2021-final_10052021.pdf)

<sup>14</sup> UN Human Rights Committee (HRC), CCPR General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment), 10 March 1992. Available at: <https://www.refworld.org/docid/453883fb0.html>

potentially life-threatening injuries many miles away from the nearest town, BVMN asserts there is substantial evidence to suggest a breach of Article 6.

## **Evidence:**

17. Examining the testimonies collected by BVMN member organisations, we can observe a comparative year on year increase in the use of torture and inhuman treatment during the pushback process.

17.1. In 2019, BVMN collected 7 pushback testimonies from North Macedonia, exposing the ill-treatment and abuse of an estimated 83 people<sup>15</sup>. BVMN has identified that in 2019, 57% of pushbacks from North Macedonia contained violence and abuse that we assert would amount to torture and inhuman treatment under international law.

17.2. Again in 2020, BVMN collected 25 pushback testimonies from North Macedonia, exposing the ill-treatment and abuse of an estimated 541 people<sup>16</sup>. BVMN has identified that in 2020, 80% of pushbacks from North Macedonia contained violence and abuse that we assert would amount to torture and inhuman treatment under international law.

17.3. Between the 1st of January to the 31st of May 2021, BVMN has collected 12 pushback testimonies from North Macedonia, exposing the ill-treatment and abuse of an estimated 69 people<sup>17</sup>. BVMN has identified that in 2021, 83% of pushbacks from North Macedonia contained violence and abuse that we assert would amount to torture and inhuman treatment under international law.

18. Pushback testimonies collected by BVMNs member organisation further illustrate the heightened levels of violence, torture and inhuman treatment that pushback victims have to endure at the hands of the North Macedonian authorities. As demonstrated below, BVMN is increasingly concerned with the systemic use of excessive and disproportionate force, the use of police dogs to purposefully inflict injuries and the punitive use of pepper spray against compliant persons:

18.1. In August 2020, BVMN<sup>18</sup> documented a pushback involving four men. The men were apprehended alongside nine other people. The group were beaten with

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<sup>15</sup> Border Violence Monitoring Network, 12.08.2021. Available at: <https://www.borderviolence.eu/violence-reports/#>

<sup>16</sup> Ibid

<sup>17</sup> Ibid

<sup>18</sup> Border Violence Monitoring Network (2020), They don't care where they hit you. They hit you in your eyes, everywhere. Available at: <https://www.borderviolence.eu/violence-reports/august-17-2020-1330-gevgelija-north-macedonia/>

large tree branches by the North Macedonian authorities with nine of the group managing to escape. The four men who did not manage to escape were then handed to foreign officers who continued beating them before putting them into a police van and driven to the border. The officers were wearing black uniforms with clearly visible Czech flags on their shoulders, and they had their faces covered with balaclavas, there were also four men in civilian clothing wearing balaclavas. The four men had their hands zip-tied and were pushed to the ground. They were severely beaten by kicking and with heavy tree branches. The foreign officers took photos and videos of the assault as three of the men cried out in pain.

18.2. In August 2020, BVMN<sup>19</sup> documented a pushback of around 20 people including women and children. Upon initial approach by North Macedonian officers members of the group were struck with batons and other members, including women and children, were subjected to pepper spray. The group were then taken to the Vardar river, where they had their money and phones taken and their shoes and bags thrown into the river.

18.3. In August 2020, BVMN<sup>20</sup> documented a pushback of 6 people. The group were apprehended by North Macedonian officers and offered food and water. They were then put into a van and driven to the border. At the border there were seven additional officers who the respondents believe were not from North Macedonia, but other European countries. These officers destroyed the 6 men's phones, took their money and were verbally abusive. They kicked the group and pushed their faces to the ground. The group then had their hands tied behind their backs. One of the respondents was attacked by a dog whilst officers laughed and took photos. Some of the group asked to claim asylum, but were told they had no right to asylum in North Macedonia.

18.4. In September 2019, BVMN<sup>21</sup> documented a violent dog attack on two people. The pair were resting in an abandoned train station when a police car approached. Shortly after the car arrived, the officers released four dogs on the respondents. The respondents attempted to run but upon realising this was futile, stood together as the dogs circled them. One of the respondents was bitten on the thigh and dragged

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<sup>19</sup> Border Violence Monitoring Network (2020), People beaten with metal batons and thrown into the river. Available at: <https://www.borderviolence.eu/violence-reports/august-14-2020-0200-gevgelija-area-near-the-border-north-macedonia/>

<sup>20</sup> Border Violence Monitoring Network (2020), They don't care if he hit you in the eyes, in your head and just he hit you and push you in in the Greek Side. Available at: <https://www.borderviolence.eu/violence-reports/august-16-2020-0100-kisava-north-macedonia/>

<sup>21</sup> Border Violence Monitoring Network (2019), I said just leave me to die here, whatever, I don't care any more. Available at: <https://www.borderviolence.eu/violence-reports/september-26-2019-0000-nearby-gevgelija-train-station/>

away by a dog. The second respondent hit the dog to distract it, the dog reacted by biting him. Officers looked on and set two more dogs upon the respondent. The respondent begged the officers to get the dogs away from him, and hit one of the dogs in an attempt to stop the attack. The officers eventually called off the dogs and one officer approached the respondent, hitting him with his fists whilst asking why the respondent had hit the dog. The respondent fell unconscious. The pair were then driven to a remote area and told to walk back to Greece without any medical assistance despite having been victim of a violent dog attack and assault by the police officers. The respondent reported, “My friend was crying all this time as he didn’t know if we would survive this or not. And I said ‘just leave me to die here whatever, I don’t even care at this point’. But he said no and dragged me and made me stand”. Eventually the respondents reached a small village where some local people treated them with alcohol and Betadine, and called an ambulance

18.5. In February 2021, BVMN<sup>22</sup> documented through its member Mobile Info Team, a pushback involving 11 people including a minor. After being apprehended at gunpoint the group were made to line up. Two North Macedonian officers formed a passage by standing opposite each other. The group were forced to walk through, one by one and each endured a severe beating with batons that lasted several minutes. This severe violence resulted in a dislocated shoulder and broken arm of the respondent. After seeing a doctor the respondent’s arm was put in plaster and he was told that surgery might be necessary in the upcoming weeks.

18.6. In May 2021, BVMN documented<sup>23</sup> a series of five pushbacks involving two men who were subject to increasingly extreme violence. The pair were beaten with fists and brutally kicked with what they believe to be steel capped shoes. Yet, the peak of the violence occurred during their fourth pushback upon being recognised by the authorities from previous attempts to cross through North Macedonia. The pair were severely beaten by kicking, fists and batons. One respondent was punched in the eye, causing him to fall to the floor. He was then kicked in the mouth. The officers positioned his leg on the door sill of their car, repeatedly hitting and kicking in an attempt to break his leg.

19. A closer examination of victim testimonies allows BVMN to draw a series of conclusions regarding the persistent use of specific typologies of torture and inhuman treatment:

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<sup>22</sup> Border Violence Monitoring Network (2021), They have a belt in her [pointing at upper arm] and a German flag and European Logo. Available at: <https://www.borderviolence.eu/violence-reports/february-10-2021-0000-near-gevgelija-north-macedonia/>

<sup>23</sup> Border Violence Monitoring Network (2021), They knew the weak places in the human body to beat us. Available at: <https://www.borderviolence.eu/violence-reports/may-28-2021-0000-near-idomeni-greece/>

19.1. In 73% of pushbacks from North Macedonia, BVMN has documented the excessive and disproportionate use of force that we assert would amount to torture and inhuman treatment.

19.2. In 23% of pushbacks from North Macedonia, BVMN has documented the use of firearms to threaten or injure people on the move.

19.3. In 9% of pushbacks from North Macedonia, BVMN has documented the punitive use of pepper spray used to inflict pain and suffering on compliant persons.

19.4. In 6% of pushbacks from North Macedonia, BVMN has documented the inhumane use of police dogs to purposefully injure or further evoke fear and anguish during the pushback process.

## **V. Arbitrary, Inhuman or Incommunicado Detention During Pushbacks as a Violation of the International Covenant on Civil and Political Rights**

**Article 6 ICCPR:** Article 6 of the International Covenant on Civil and Political Right

**Article 7 ICCPR:** Article 7 of the International Covenant on Civil and Political Rights

**Article 9 ICCPR:** Article 9 of the International Covenant on Civil and Political Rights

**Article 10 ICCPR:** Article 10 of the International Covenant on Civil and Political Rights

**Article 13 ICCPR:** Article 13 of the International Covenant on Civil and Political Rights

### **Explanatory Note**

20. Articles 9 and 10 of the Covenant set out the obligations of State Parties relating to arrest, detention or deprivation of liberty. The evidence documented by BVMN demonstrates how the use of arbitrary, inhuman and incommunicado detention by North Macedonia is acting in breach of the ICCPR.

21. We assert that the evidence of North Macedonian authorities utilising informal detention sites such as police vehicles, or placing individuals in detention conditions that routinely do not meet international standards, would be in violation of Article 10, specifically the obligation that ‘all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.’

22. Furthermore, we assert that the use of detention, often without charge or the ability to access a lawyer and medical facilities renders the detention of people on the move both

arbitrary and incommunicado, and therefore is in violation of Article 9, especially that ‘no one shall be subjected to arbitrary arrest or detention’ and that ‘anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.’

## Evidence

23. BVMN has documented the use of arbitrary and inhumane detention practices by North Macedonian authorities during the pushback process. Evidence collected by BVMN’s member organisations demonstrates how the North Macedonian authorities detain people-on-the-move in facilities contradictory to international standards, with the victims often being held both arbitrary and incommunicado:

23.1. In June 2020, BVMN<sup>24</sup> documented a pushback in which a man was detained for several days. He was victim to multiple instances of racial abuse and forced to sleep on a concrete floor. He was then transferred to a second police station where he was forced into a cell with 16 other people and not provided with any food unless he paid. At no point in his detention was he informed of the reasons for his arrest or detention.

24. Furthermore since 2020, BVMN has become increasingly aware of a growing practise of the detention of people in police vans. Groups of 5 to 20 people are being locked into the back of police vans overnight without access to food, water, or toilet facilities<sup>25</sup>. The testimonies below demonstrate a clear breach of international detention standards and we assert are in direct violation of the ICCPR:

24.1. In May 2021, BVMN<sup>26</sup> documented a pushback where 6 people were locked into the back of a police van overnight without access to food, water or toilet facilities. The group was not told of the duration that they would be locked into the van. One member of the group resorted to eating toothpaste in an attempt to cure his hunger and exhaustion. The group were also denied food upon request the following day when they were taken to a police station.

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<sup>24</sup> Border Violence Monitoring Network (2020), Austrian police officers implicated in pushback to Greece. Available at: <https://www.borderviolence.eu/violence-reports/june-15-2020-0000-gevgelija-north-macedonia/>

<sup>25</sup> Border Violence Monitoring Network (2021), They knew the weak places in the human body to beat us. Available at: <https://www.borderviolence.eu/violence-reports/may-28-2021-0000-near-idomeni-greece/>

<sup>26</sup> Border Violence Monitoring Network (2021), They knew the weak places in the human body to beat us. Available at: <https://www.borderviolence.eu/violence-reports/may-28-2021-0000-near-idomeni-greece/>

25. The treatment of people within police vehicles is also of concern to BVMN. In June 2020, BVMN<sup>27</sup> documented a pushback where a group of 20 people including women and children, were beaten and sprayed with pepper spray. Immediately after the physical assault the group was forced into the back of a police van suitable for no more than 10 persons. They were left in the van, without windows or air conditioning for two hours in the sweltering heat. After two hours, another 20 people were put into the back of the van. In another pushback during May 2021<sup>28</sup>, the officers driving the police car alternated between extreme heats for the duration of the journey.

26. In addition to the evidence collected by BVMN, investigations conducted by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) further expose how the detention practices of the North Macedonian State are in violation of the ICCPR:

26.1. In 2019, the CPT found that police ill-treatment had resurfaced and that the authorities had done far too little to address the longstanding structural deficiencies within the prison system.<sup>29</sup>

26.2. Furthermore in 2019<sup>30</sup>, persons interviewed by the CPT complained of being subjected to slaps, punches, kicks and blows with truncheons and other objects at the time of their apprehension or inside a police establishment for the purpose of extracting a confession. The report includes the details of several cases where the delegation found medical evidence to support the allegations.

26.3. In 2020, the CPT published its report following an ad hoc visit to North Macedonia<sup>31</sup>. The report outlined that despite some improvements, cramped, unhygienic and decrepit conditions in prisons persisted.

26.4. Furthermore, the 2020 report<sup>32</sup> stated that the CPT has once again received numerous allegations of physical ill-treatment of criminal suspects by police officers (such as of slaps, punches, kicks and blows with truncheons or other

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<sup>27</sup> Border Violence Monitoring Network (2020), People beaten with metal batons and thrown into the river. Available at: <https://www.borderviolence.eu/violence-reports/august-14-2020-0200-gevgelija-area-near-the-border-north-macedonia/>

<sup>28</sup> Border Violence Monitoring Network (2021), They beat you inside, because when they return you in this way you feel yourself hurt. Available at: <https://www.borderviolence.eu/violence-reports/may-10-2021-0000-near-idomeni-greece/>

<sup>29</sup> Council of Europe (2021), Council of Europe anti-torture Committee publishes report on its 2019 visit to North Macedonia. Available at: <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-publishes-report-on-its-2019-visit-to-north-macedonia>

<sup>30</sup> Ibid

<sup>31</sup> Council of Europe (2021), Council of Europe anti-torture Committee publishes report on its 2020 visit to North Macedonia. Available at: <https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-publishes-report-on-its-2020-visit-to-north-macedonia>

<sup>32</sup> Ibid

objects), in the context of apprehension after the person concerned had been brought under control or inside a police establishment for the purpose of extracting a confession.

## **VI. Conclusion and recommendations:**

27. The Border Violence Monitoring Network is deeply concerned with the continued rights violations being carried out by the North Macedonian authorities. Therefore, considering the aforementioned evidence of pushbacks, collective expulsions and the violation of the principle of non-refoulement, including the severe use of violence, torture and inhuman conditions, BVMN respectfully request that the Government of North Macedonia respond to the following questions and recommendations:

27.1. What measures has the North Macedonian government implemented to ensure that the conduct of all State actors is in full compliance with the principles of non-refoulement?

27.2. What progress has been made to investigate allegations of violence, torture and inhuman conditions during pushbacks?

27.3. What steps are being taken to ensure all foreign nationals facing deportation or return proceedings have access to legal representation in line with North Macedonian domestic law?

27.4. What progress has been made to investigate allegations of pushbacks and the violation of non-refoulement?