

Amnesty International Report 2015/16 - The State of the World's Human Rights - Macedonia

The publication of audio recordings not only revealed evidence of government corruption, but demonstrated widespread covert surveillance. The authorities failed to respect the rights of refugees and migrants, including by the use of unlawful detention and the excessive use of force.

Background

A political crisis followed the publication of audio recordings of conversations between ministers, members of the ruling party (Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity) and public officials.

The recordings, made public by Zoran Zaev, leader of the opposition Social Democratic Union of Macedonia (SDSM) revealed government corruption, abuse of office, electoral fraud and a lack of respect for human rights and the rule of law, including interference in the independence of the judiciary.

Zoran Zaev was indicted, with others, for crimes including espionage; the government claimed that the recordings were fabricated by foreign intelligence services. In May, mass demonstrations called on the Prime Minister to resign following his suggested complicity in covering up responsibility for the killing of a young man at a demonstration in 2011. The Minister of Interior and the Director of Security and Counter-Intelligence resigned in May.

Following an EU-brokered agreement in June, the opposition ended their boycott of Parliament in September. After further EU intervention, the SDSM took up ministerial posts in an interim government in November, and deputy prosecutors were appointed to investigate the alleged criminal offences revealed in the surveillance recordings. A package of electoral reforms required before elections in April 2016 was not in place at the end of the year.

Freedom of expression

Over 2,000 journalists were estimated to be under surveillance by the government. Published recordings indicated the indirect financing of pro-government media, and political influence over the appointment of journalists and news content.

Attacks on independent journalists continued: in April, critical journalist Borjan Jovanovski received death threats and in July Sashe Ivanovski was punched by a deputy Prime Minister. Investigative journalist Tomislav Kezarovski was released in January from house arrest following appeal, and international condemnation of his imprisonment under a sentence imposed in 2013 for defamation.

Excessive use of force

On 9 May, special police units launched an armed operation in Kumanovo, with the alleged aim of preventing attacks against state and civilian targets. In heavy exchanges of fire, 14 ethnic Albanians and eight police officers were killed. Thirty ethnic Albanians, including former members of the Kosovo Liberation Army, were arrested; some alleged that they were beaten in detention. The Ministry of Interior ignored calls for an independent inquiry into the operation.

Refugees and asylum-seekers

At least 600,000 migrants and refugees, predominantly from Syria, travelled through Macedonia, aiming to seek asylum in the EU.

Before June, refugees and migrants were routinely pushed back to Greece, at the border and from within the country, ill-treated by border police and subjected to arbitrary detention, and were vulnerable to exploitation by smugglers and attacks by armed gangs.¹ In August, UNHCR, the UN refugee agency, reported that the asylum system was unable to provide effective protection.

After 19 June, following an amendment to the Law on Asylum, 388,233 refugees registered their interest in claiming asylum at the border. However, most travelled by train to the Serbian border. According to Ministry of Interior statistics, only 86 asylum applications were submitted after 19 June.

At the time, up to 7,000 people a day were entering the country from Greece. On 19 August, the government declared a crisis on the border and deployed paramilitary police and the army, which used stun grenades and baton rounds to push refugees back or prevent them from crossing into the country. Police again used excessive force against refugees at the end of August, and arbitrarily beat refugees in September. From 19 November, only Afghan, Iraqi and Syrian nationals were allowed to enter the country; police initially used excessive force to deny access to other nationalities arbitrarily identified as economic migrants.

Over 1,000 mainly Syrian refugees and migrants, including children, were unlawfully detained in inhuman and degrading conditions at the Reception Centre for Foreigners in Gazi Baba, Skopje. Many alleged they were ill-treated by Ministry of Interior guards. The centre closed during July following international pressure, including from the UN Committee against Torture. However, the unlawful detention of refugees and migrants resumed after the November border closure; around 55 people, predominantly Iranian and Moroccan nationals, were detained in December.

Some 10,210 Macedonians, many of them Roma, fled discrimination and poverty to apply for asylum in EU countries; few were successful.

Rights of lesbian, gay, bisexual, transgender and intersex people

During Pride week in June, activists protested against the authorities' failure to investigate attacks on the lives of LGBTI individuals and their organizations' premises. In January, Parliament voted to amend the Constitution to define marriage as solely between a man and a woman.

Counter-terrorism and security

In February, the government finally submitted an action plan to the Council of Europe in the case of German national Khaled el-Masri, as required by the 2012 judgment of the European Court of Human Rights, although it failed to provide for an effective criminal investigation into his allegations. The Court had ruled Macedonia liable for Khaled el-Masri's incommunicado detention, enforced disappearance, torture and other ill-treatment in 2003, and subsequent handover to the US CIA, which transferred him out of Macedonia to a secret detention site in Afghanistan.

1. Europe's borderlands: Violations of the rights of refugees and migrants in Macedonia, Serbia and Hungary ([EUR 70/1579/2015](#))

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