

Monthly Report for the situation of the Roma Rights in Macedonia (December 2009)

The Roma Rights Forum " ARKA" with the help of Balkan Trust Democracy started with permanent following of the situation of the Roma in Macedonia , making monthly reports distributed to all relevant institutions and Non-Governmental Organizations which take care for the protection of the human rights. The project will be in touch with the Institutions and will inform them and the medias about cases with elements of offending the human rights.

1. POLICE CASES

1.1 Penalties for the untimely registration of children in the Home Book of Birth

2.Sellers in the Green Market

2.1. Selective law enforcement of industrial property



1. Police cases

1.1 - Police abuse of official capacity

Within the project “Roma Monitor”, the RRF “ARKA” again helps the victims of violence and degrading treatment by police by providing them with a free legal aid, taking all necessary measures and remedies to help and protect the victims through the filling of formal complaints to the relevant institutions. D.J (59), K.E (42) and R.S (61) addressed our organization since they were wounded and threatened personal rights and safety by the police.

One of the damaged D.J explained the incident to us: On 15.12.2009 at about 14:30 on the Bulevard Oktomvriska Kumanovo on the Green market D.J was attacked aggressively and without any reason by special units of the Ministry of Interior police mobile Alfie. While he was walking through the Green Market he met his nephew who told him that he has become a grandfather for the second time. Then they decided to go to the closest café for a drink. On their way to the cafe they met their friends K and R and they all together went to the café. Standing in front of the nearest shop 3 people appeared. Without saying who they are they told them to leave the place and D.J said that they would leave. They prepared to leave and D.J was still talking to his friends. Then one of the officers turned to D.J and started insulting D.J because he thought that D.J was laughing at him. Then the officer twisted the arm of D.J and hit him in the shoulder. Then D.J was forced to enter into the official vehicle. D.J still not realizing who they are asked him who he was, and then the officer showed him his card. At the request of the officer D.J showed his identity card and he and his friends were all taken to the police station in Kumanovo. They were put in an office and they were told to be quiet. The officers started writing reports for the arrest. Although D.J insisted to be told why they are arrested they were not told and they also took the mobile of D.J. Once finished with the records they were taken to another office and the officer told another officer that they are arrested for being drunk and giving resistance. DJ explained them that they should hear the other side and he suggested and alcohol testing if they were deemed to be drunk. The alcohol test showed 0.77 and 1.1 promili alcohol. The policeman then concluded it was nothing terrible and released them. D.J felt very ill from the stroke and ask for a doctor and a lawyer. The doctor said that D.J had a high-blood pressure and gave him and injection. Later, the officer helped

him elect and call a lawyer. Then D.J told everything to the lawyer and at 18:00 o'clock everyone left the station.

These people victims of violence and degrading treatment addressed our organization for help.

ARA empowered to represent the damaged complained to the Ministry of the Interior to the Department for Internal Control and Professional Standards (PVKPS)-Skopje and report to the Public Prosecution Office in Kumanovo to review the case and to punish the police officials. Abusing their official duty and the authority, they violated the law and committed a crime "unlawful detention" (punishable under Article 140 of the Criminal Code) and using force in the performance of duty (punishable under Article 142 and 143 of the Criminal Code) one of the officers used its position and violated D.J and not only D.J was insulted but he also had visible consequences on his physical health.



2.Sellers in the Green Market

2.1- Selective law enforcement of industrial properly

The number of Roma in Macedonia who provide subsistence by selling textile in the market squares is big. The goods they sell are legally imported and they have paid all the customs and other duties to the state and thereby they fulfill its obligations under the law. For their loyalty they receive unequal treatment in the application of laws, and under the Constitutions the laws are equal for all citizens of Macedonia.

A group of 6 Roma came into the RRF "ARKA" and asked for legal assistance about the brand products seized by the republican market inspection of the Green Market in Kumanovo.

On 4, December in Kumanovo, the Green Market action was staged by republican inspection market in Skopje with the help of the Ministry of Interior and the same is applicable for the removal of products that are branded and sold by unauthorized vendors.

In this action were taken all the products that were branded and they were taken in the way known only

to those who implemented this action. According to the Roma that were damaged in this action it was carried out selectively and only on the Roma sellers.

In the section of the market in Kumanovo where they sold their textile there are a lot of other vendors of other nationalities, and their goods were not seized. Despite the articles seized, they were also given a fine which must be paid in a certain period of time, and if not they would have to pay double which is specified by the Law.

Roma sellers wonder whether the laws in Macedonia are conducted only on Roma, the most loyal citizens who, despite their poor material conditions it is a target of the institutions in law enforcement. All agree that laws should be implemented but without any selection and equally to all citizens of our country not only on the Roma.