

Optional Protocol: Succeeded: 12 December 1994 .

Second Optional Protocol: Acceded: 26 January 1995.

Racial Discrimination

Succeeded: 18 January 1994.

The fourth report of the FYR Macedonia was due 17 September 1998.

Discrimination against Women

Succeeded: 18 January 1994.

The initial report of the FYR Macedonia was due 17 February 1995.

Torture

Succeeded: 12 December 1994.

The initial report of the FYR Macedonia (CAT/C/28/Add.4) has been submitted and is scheduled for consideration at the Committee's May 1999 session; the second periodic report is due 11 December 1999.

Rights of the Child

Succeeded: 2 December 1993.

The initial report of the FYR Macedonia (CRC/C/8/Add.36) has been submitted and is pending for consideration at the Committee's January 2000 session; the second periodic report was due 16 September 1998.

REPORTS TO TREATY BODIES

Human Rights Committee

Macedonia's initial report (CCPR/C/74/Add.4, March 1998) was considered by the Committee at its July 1998 session. The report prepared by the government contains information on, *inter alia*: constitutional provisions related to rights and freedoms; laws adopted aimed at implementation of the Covenant, the European Convention on Human Rights, and other international human rights instruments; the office of the Ombudsman; the Parliamentary Permanent Survey Commission for the protection of rights and freedoms; the Department for the Promotion of Equality Between the Sexes, established in 1997; permissible restrictions on rights and freedoms; the right to life, controls on the use of firearms by state agents, the prohibition of capital punishment; the prohibition of torture and ill treatment, exclusion of evidence obtained illegally, interrogation and the Law on Criminal Procedures, legal restraints on the use of force; treatment of detainees and prisoners and disciplinary punishment; remedy and compensation for violations of rights; freedom of movement and choice of residence, expulsion and deportation procedures; equality before the law, the right to a fair and public hearing, the rights of the accused; the independence of the judiciary; protection of privacy, search of home and person, correspondence and personal data, honour and reputation; freedom of thought, conscience and religion, conscientious objection; freedom of expression, the Law on Broadcasting, the Law on Public Information, permissible restrictions;

prohibition of propaganda for war and incitement to hatred; peaceful assembly and the right to association, trade unions, political parties, citizen associations; protection of the family, marriage, equality of spouses; protection of the child and parental responsibilities; the right to vote and be elected, equal access to public service; the prohibition of discrimination on any grounds; and the rights of minorities, free expression of national affiliation, the use of and education in languages of nationalities, cultural institutions and diversity in/of the media.

The Committee's concluding observations and comments (CCPR/C/79/Add.96) noted the government statement that the principal difficulty in ensuring effective implementation of the Covenant lies in the complex and difficult process of transition from a political and social environment shaped by the concept of collective rights to a respect for the rights of individuals. Continuing ethnic tensions, particularly concerning the Albanian minority, were also noted as a matter of major concern.

The Committee welcomed: the fact that, by virtue of article 118 of the Constitution, the Covenant is a part of the internal legal order which cannot be changed by domestic legislation, and that its provisions may be directly invoked before the courts; the commitment of the government to proceed with the reform of the judicial system and of the system of penitentiary institutions; the passage of the Law on the Ombudsman in February 1997 and the subsequent appointment by the Parliament of the Ombudsman; the enactment of legislation designed to comply with the anti-discrimination provisions of the Covenant — including the Act on Public Information, the Act on Telecommunications and the Law on Broadcasting, which prohibit the use of mass media to incite national, racial or religious hatred or intolerance; the Act on Political Parties, which prohibits the establishment of parties whose aim is the incitement to national, racial or religious hatred and intolerance; the Act on Social Organizations and Citizens' Associations, which also prohibits activities that violate human rights or encourage national, racial or religious hatred or intolerance; and the Assembly Declaration of 1997 on the promotion of inter-ethnic relations. The Committee commended the government for its cooperation with NGOs and foundations, including the Macedonia Center for International Cooperation, the Open Society Institute, and women's organizations, as well as the dissemination of the Covenant and the Optional Protocol in the Macedonian language and in the languages of the ethnic minorities.

The principal subjects of concern identified by the Committee included, *inter alia*: ethnic violence involving the police in Gostivar in July 1997 and indications that all fair-trial guarantees were not met in dealing with local officials; reported cases of abuse of police authority, including unlawful arrest and detention, excessive use of force — especially against members of minority groups — and physical ill treatment of detainees; the continued application of restrictive legislation inherited from the previous regime in various fields, including concerning