

North Macedonia – national procedures for transfer of sentenced persons
Updated 11/07/2019

The information contained in this table should be updated on a yearly basis.

<p>The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for the transfer of sentenced persons:</p>	<p style="text-align: center;">MINISTRY OF JUSTICE of the Republic of Macedonia Dimitrie Chupovski 9, 1000 Skopje Republic of Macedonia Tel.+389 (0)2 3116 - 493, +389 (0)2 3116 – 648 Fax: +389 (0)2 3226 – 975 GordanaMilevska@mjustice.gov.mk</p>
<p>If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):</p>	
<p>If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned (name of the institutions, address, telephone, fax and e-mail where available):</p>	
<p>Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):</p>	<p>Directly Ministry of Justice with the Ministry of Justice of a respective country. Article 94 of the law on MLA (1) The request for transfer and the documents must be submitted to the Ministry, which shall then notify the country of citizenship in order to continue the prison term and shall carry out the transfer of the sentenced person on the basis of a international agreement or on the basis of mutuality.</p>

	(2) At the request of a domestic competent authority the foreign State shall provide all additional information and vice versa.
Means of communication (e.g. by post, fax, e-mail ¹):	All of the above, the originals have to be sent later if by mail or fax. In case of conversion of sentence, the subject-matter jurisdiction court: - is bound by the established facts contained in the judgment, - may not convert a sanction involving deprivation of freedom into pecuniary sanction, - shall fully deduct the time spent in prison by the sentenced person.

Language requirements:	Official languages used in the Council of Europe.
Documentation required:	Article 93 of MLA law Regarding the request for transfer, the following documents must be furnished: 1) a certified transcript of the final judgment rendered against the sentenced person; 2) legal provisions that were applied; 3) any information regarding the duration of the prison term that has already been served and information regarding detention or any other information regarding the serving of the prison sentence and 4) statement by the sentenced person consenting to the transfer.
Continued enforcement or conversion of the sentence ² :	Enforcement in the foreign state in which the person was sentenced is suspended at the moment when the authorities of the Republic

¹ Please indicate if encryption or electronic signature is required.

² In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

	of Macedonia take the sentenced person into charge. The domestic legislation shall apply for the remainder of the enforcement in terms of pardoning, amnesty, or commutation of sentence in accordance with the Constitution or with an international agreement.
General rules on early release:	The domestic subject-matter jurisdiction court shall stop the enforcement of the sentence as soon as the foreign competent authority notifies it about the decision or the resolution to terminate the enforcement.
Scope of application with regard to transfer of mentally disordered persons:	Not regulated with law.
Scope of application with regard to nationals and/or residents:	According to the MLA law : <p style="text-align: center;">Article 97</p> (1) Any sentenced person who is a citizen of the Republic of Macedonia and is serving a prison sentence in a foreign state may be transferred to Macedonia in order to serve out the remainder of the sentence. (2) The request for transfer of a citizen of the Republic of Macedonia together with the documents listed in Article 93 of this Law, shall be submitted through the Ministry to the subject-matter jurisdiction court for recognition
Other particularly relevant information (such as practice regarding time limits or revocation of consent):	

Links to national legislation, national guides on procedure:	The website of the ministry of justice is currently being updated and information will be on its web site. www.pravda.gov.mk
Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS°112 and PC-OC INF 12):	The domestic competent authority shall send the letter rogatory or the request together with the documentation in Macedonian language and in Cyrillic script with a translation into the language of the certain state and into one of the official languages used in the Council of Europe.
For Parties to the Additional Protocol	
Information on the implementation of Article 2 (e.g. interpretation of “by fleeing to”):	We do not apply it.
Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence):	We do not apply it. (More explanation on this one needed)./

Documentation required:	/
Other relevant information:	/