

<p>NORTH MACEDONIA</p> <p>National Procedures for Extradition</p> <p>Updated on 26/02/2021</p>

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:	Ministry of justice Republic of North Macedonia Dimitrie Chupovski str.no.9 Skopje Tel: +389 (0)2 3116 – 648 ext 401 gordanamilevska@mjustice.gov.mk NadaSimjanoska@mjustice.gov.mk cabinet@mjustice.gov.mk
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):	/
Channels of communication for the request for extradition (directly, through diplomatic channels or other):	Direct – where applicable Through diplomatic channels – where applicable INTERPOL – in urgent cases but we need to receive the original request in short period of time
Means of communication (e.g. by post, fax, e-mail ¹):	All of them
Language requirements:	We prefer Macedonian language but will accept English or French language if is not something other arranged with bilateral agreement
Documentation required:	1) data for determination of the identity of the person whose extradition is requested (description, picture, fingerprints etc.); 2) certificate or other data for the citizenship; 3) accusation, sentence or decision on detention or

¹ Please indicate if encryption or electronic signature is required.

	<p>some other document with the same legal action in original or as certified copy indicating the name and surname of the person whose extradition is requested;</p> <p>4) description of the offence, legal denomination of the criminal offence and evidence for reasonable doubt; and</p> <p>5) transcript of the provisions of the Criminal Code that shall be applied or has been applied to the person whose extradition is requested, and if the offence was committed in the territory of a third state, a transcript of the provisions of the Criminal Code of that state is required.</p>	
Provisional arrest:	Time limit for presentation of formal extradition request if the person is in provisional arrest	40 day max.
	Is there a need for an explicit request for prolongation of the provisional arrest beyond the 18 days mentioned in Article 16, paragraph 4 of the European Convention on Extradition (ETS No.24)?	no
Extradition procedures: Please describe shortly the different types of procedure (e.g. normal, simplified, other) indicating the main differences:	<p>Regular and simplified. In simplified rule of specialty does not apply – no documents are needed. In simplified the court decides on the extradition case, the Ministry of Justice only send the decision. In regular the Minister of justice decides</p>	
Detention before and after the receipt of the extradition request, (deadlines, conditional release, etc.):	<p>150 days from the day of the arrest + another 30 days if the due to some unexpected circumstances the surrender is postponed. After 180 days – no prolongation is possible</p> <p>On the basis of an issued international arrest warrant or of request for extradition, and if the conditions for imposing detention according to the provisions of the Law on Criminal Proceedings are fulfilled, the competent public prosecutor shall submit a proposal for detention to the judge appointed to conduct the preliminary proceedings.</p> <p>Ever 30 days the reasons for detention are revised</p>	

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Statutes of limitation for the purpose of prosecution and for the execution of sentences (general principles):	If it is obsolete – the request will be rejected
Provisions concerning extradition of nationals:	It is possible if it is stipulated in international treaty. North Macedonia has a declaration on article 6 of the Convention
Surrender (e.g. deadlines):	180 days from the day of the arrest max
Other particularly relevant information (such as, specific requirements concerning double criminality):	<p>The preconditions for authorising extradition are the following:</p> <ol style="list-style-type: none"> 1) the person whose extradition is requested shall not be citizen of the Republic of North Macedonia (exception is made if an international agreement allows it); 2) the identity of the person whose extradition is requested shall be determined; 3) the offence for which extradition has been requested shall not be committed in the territory of the Republic of North Macedonia against it or against one of its citizens; 4) the offence for which extradition has been requested shall be a criminal offence both according to the domestic legislation and according to the legislation of the state where it was committed, and which requested the extradition; 5) the criminal prosecution or the enforcement of the sentence shall not become time-barred; 6) the person whose extradition is requested shall not be sentenced for the same criminal offence by a domestic court or effectively released by a domestic court for the same criminal offence or the criminal proceeding against him or her shall not be effectively stopped or the accusation shall not be effectively rejected or no proceedings shall be initiated for the same criminal offence in the Republic of North Macedonia or against it or against a citizen of the Republic of North Macedonia, unless a guarantee has been provided for the exercise of the right to legal claim on property of the injured party; 7) there shall be sufficient evidence for the reasonable doubt that the person whose extradition is requested

	committed a certain criminal offence, or that there exists another final judgment; 8) the person whose extradition is requested shall have committed the criminal offence after the age of 14; and 9) the person whose extradition is requested was tried in absentia, and the requesting foreign state shall provide a guarantee that the person will be tried in his presence.
Links to national legislation, national guides on procedure,	https://www.pravda.gov.mk/mpd-page