

# BASIC RIGHTS OF MIGRANTS IN THE REPUBLIC OF MACEDONIA

Article 29 of the Constitution of the Republic of Macedonia stipulates that foreigners enjoy constitutionally guaranteed freedoms and rights, under conditions laid down by law and international agreements.

The Republic of Macedonia is a signatory of most of the international agreements of the United Nations and the Council of Europe, and the rights of migrants are included in the Law on Foreigners, the Law on Asylum and Temporary Protection and the Law on General Administrative Procedure which guarantee the following rights to the migrants:



## 1. MINIMUM CIVIL AND POLITICAL RIGHTS:



- **Right to life:** unreasonable force should not be used to prevent the entry of non-nationals, and authorities have a duty to try to save those whose lives may be in danger in seeking to enter a country.
- **Protection against torture and inhumane or degrading treatment or punishment:** The authorities are bound to prevent and protect against torture all persons deprived of freedom on its territory. The return process should respect the right to dignity, and coercive measures should be “kept to a minimum”.
- **Right to freedom:** detention should be used only as a last resort, judicially authorised, and not for an excessive period of time.
- **Protection from slavery and forced labour**
- **Right to asylum and a ban on forced deportation in the course of the procedure**
- **Right to an effective legal remedy prior to deportation** which should be before a competent, independent and impartial authority, with interpretation
- **Respect for private and family life:** Removal should not take place where there are «particularly strong ties»
- **The right to equality:** there should be no discrimination in the enjoyment of rights, or discrimination on grounds of race or ethnicity in admission, stay or expulsion.
- **Right to correspondence**

## 2. MINIMUM ECONOMIC AND SOCIAL RIGHTS



- **Right to adequate housing and shelter** guaranteeing human dignity.
- **Right to emergency healthcare** including psychological aid
- **Right to social protection where it is necessary to preserve human dignity:** Migrant children should enjoy rights on the same footing as national children.
- **Right to primary and secondary education**
- **Right to humanitarian aid**