



***The First Children's Embassy in the World-Megjashi*** demands from Mr. Idjet Memeti, Ombudsman of Republic of Macedonia to investigate the case of harsh violation of children's rights by the police, who brought 11 children at the age of 11 from the Primary School "Vlado Tasevski" to the Police Station Karposh-Skopje. We also demand from the Minister Gordana Jankulovska to punish the police officers that made big offence in bringing, calling and hearing the children that are not criminally responsible (their parents or guardians are responsible for them) in the absence, without agreement or knowledge of their parents, guardians or defender-lawyer.

The Embassy Megjashi points out the violation of the following Articles of the **Convention on the Rights of the Child**:

Article 3, Paragraph 1

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

States Parties shall ensure that:

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

According to the **Constitution** and the Legislation in Macedonia:

***"Informational investigation"***

According to the decision made by the Constitutional Court of Republic of Macedonia and the new Law for Criminal Procedure, a person can be brought to a police station by force only when there is a court decision stating the possibility of using force in case the person does not come nor justify the absence, and if it is obvious that the

person is avoiding to call in for the invitation. The police can demand information from the citizens and call them in the police station but they are not obligated to go there nor to answer the questions.

***Relevant standards***

Article 12 from the Constitution of Republic of Macedonia

Article 142 from the Law for Criminal Procedure

***Investigating the legality***

For the acts undertaken in pre-criminal procedure the citizens may request from the court to investigate their legality and the court is obligated to investigate it and to bring a decision about the situation.

***Relevant standards***

Article 12 from the Constitution of Republic of Macedonia

Article 3 from the Law for Criminal Procedure

In the Police Law, Law for Interior Affairs and the Code for Police Ethics it stands that when a minor is brought for hearing, its parents or guardians must be notified by the police in not more than 3 hours.