

Updated Assessment of the implementation by the former Yugoslav Republic of Macedonia of the roadmap for visa liberalisation

18 May 2009

With a view to facilitating the comparison with the first assessment made in November 2008, the latter has been kept in the present document in open text followed by the updated assessment presented in boxes.

BLOCK 1 Document Security

General assessment of block 1:

The former Yugoslav Republic of Macedonia has made very good progress towards the fulfilment of the block 1 benchmarks in the last two years.

Between April 2007 and April 2009, more than 417,000 new biometric passports, 330,000 ID cards and 140,000 driving licences were issued. The security specifications of the new biometric documents (photos) are in line with ICAO and EU standards.

The issuing of the new biometric passports is centralised, managed and supervised by the Ministry of Interior in Skopje. The authorities of the former Yugoslav Republic of Macedonia put in place the appropriate infrastructure in order to ensure an efficient and secure production process and personalisation and distribution procedures. The replacement of the old travel documents with new biometric passports will be completed by 1 April 2012.

The staff involved in the whole passport production process is carefully selected and receives appropriate training. Legal and organisation measures have been strengthened to effectively fight corruption. It has been reported that no cases of corruption regarding document security have occurred.

Regarding breeder documents, the system in place is based on a central data base and a PIN system (in place since 1981); the matricular procedure, issuance of certificates, storage and protection have been found efficient and secure in line with European and international standards.

It appears that the former Yugoslav Republic of Macedonia meets the benchmarks set under Block 1 of the roadmap.

Detailed comments on block 1 by policy area:

Passports/travel documents, ID cards and breeder documents (benchmarks 1-5)

November 2008 Assessment:

According to the relevant law, the phasing out of old travel documents will be completed by 01.04.2012. The Ministry of Interior is monitoring the use of the new personal documents system, and no problems or difficulties during the first period of implementation of the new system were reported. Verification is now required on experience so far in this field, in particular regarding potential difficulties experienced with use of biometric passports at border crossing points (BCPs).

Information was provided on the security specifications of the new biometric passport. Specific information was provided on the personalisation procedure followed (including a detailed description of all aspects in the process). An appropriate security infrastructure is being developed for the introduction of the Extended Access Control advanced protective mechanism to improve the personalisation process in the travel documents. Further verification is needed on the efficiency of all administrative steps in the issuing procedure. The same verification is required for procedures related to the issuance of ID documents.

Regarding training programmes targeting officials dealing with visas and passports, since 2006 the Ministry of Interior is implementing the anti-corruption programme which has been revised in 2008 together with an action plan. Information about the substance of the anti-corruption training (two levels of controls); in addition information was provided on cases of criminal investigation including officials at the border.

A reporting system with Interpol has been successfully established, with data on lost and stolen travel documents communicated electronically to the Interpol national bureau in Skopje. Statistical data on number of files reported was provided.

Regarding the issuance of breeder documents, good efforts have been made to improve the level of security of ID cards and breeder documents. Information is provided on the matriculation procedure, which is governed according to the Law on matricular evidence. Further information is submitted on the administrative system for keeping matricular books, and on security aspects of the certificates issued. Specific details are provided on identity cards, including the personalisation process and security features.

The Sector for administrative supervision affairs within the Department of civil affairs in the Central police services has responsibility for issuance of breeder documents and travel documents. Information was provided on staff involved in the process (305 employees), their tasks, the process for their selection and their training.

Information is submitted on the situation in terms of access to documents concerning vulnerable minorities (in particular the Roma) and Diasporas.

May 2009 Updated Assessment:

Between April 2007 and April 2009, 417000 biometric travel documents have been issued. The former Yugoslav Republic of Macedonia estimates that by the end of 2010, over 90% of all old travel documents will have been phased out. In addition, 330,000 identity documents 140,000 driving licenses, and 5000 resident permits have been issued, all of which correspond to European and international standards in terms of security specifications.

Current travel documents hold the digital image of the holder on the biometric chip and use the Basic Access Control mechanism. By the end of 2009, the Ministry of Interior (MoI) intends to have completed the necessary steps to issue e-passports corresponding to the latest international standards (i.e. use of Extended Access Control, storage of fingerprints as secondary biometric identifier). However, the border police still does not possess the technology necessary to read biometric data from electronic chips at Border Crossing Points (BCPs).

The personalisation and distribution system for travel documents meets relevant EU and international standards. The personalisation process is centralised within the Ministry of Interior, and is fully automated. Some 100 officials are involved, and staff receives thorough training. All blank documents are stored exclusively in a secure facility within the personalisation centre in the building of the Ministry of Interior in Skopje. Procedures for personalisation are clearly defined and the number of documents personalised in each shift is carefully monitored. No blank or personalised documents have been reported lost or stolen within the centre. All steps of the distribution process are centrally monitored by the distribution centre, and follow strict security procedures. Distribution to regional offices is carried out exclusively by experienced and well-trained police officers. New documents are only issued to applicants in person, following an identity check using previously recorded biometric identifiers.

Progress continued concerning implementation of anti-corruption measures. Various rulebooks have been created defining correct procedures in each step of travel document issuance, and clearly listing prohibited practices. A specific anti-corruption programme was adopted in December 2008. No specific anti-corruption programmes for persons involved in travel document issuance have been developed; however the overall extensive anticorruption training programmes have included Ministry of Interior officials responsible for passport issuance, except for those involved in the personalisation procedure. Out of the 1148 cases of corruption investigated in 2008 none concerned the issuance of travel documents.

The system for reporting data on lost and stolen passports to Interpol functions smoothly and efficiently. In 2008, 2062 documents were reported lost or stolen.

The issuance procedure for breeder documents and the matricular procedure are efficient and secure. Each citizen has a unique Personal Identification Number (PIN) which is centrally issued and is used for all transactions and queries in matricular books and databases. A record of all requested and issued breeder documents is maintained in a central electronic database. Access to matricular books is limited, and a second version of all books is maintained and stored in secure facilities as part of the Ministry of Justice's 'Matriculation Office' project.

The security level of breeder documents is good, and each ID card, driving license and certificate clearly mentions the holder's unique PIN.

BLOCK 2 Illegal migration, including readmission

General assessment of block 2:

Significant and continuous progress has been made in the fields of border management, asylum and migration.

On border management, the legal framework was further improved (Law on State Border Surveillance) in order to ensure compliance with the EU standards. The implementation of the IBM Action Plan is completed; the organisation of the border police is in line with EU standards; good inter-agency cooperation has been reported.

The human resources allocated are sufficient and staff is professional and highly motivated. Further improvements in this area are expected by the adoption of the new law on Internal Affairs. Operational risk analysis needs to be improved. The training actions for the border police have been organised but continued efforts are needed in this area.

Further improvements and modernisation of the infrastructure and of technical equipments at all Border Crossing Points (BCPs) are necessary for ensuring a good level of border control and surveillance. Practical co-operation on border issues with neighbouring countries and international organisations has been developed. A working arrangement with Frontex has been signed.

The asylum system is functional and efficient. The recently adopted amendments to the legislative framework ensure alignment with the EC standards; appeal procedures are functioning. A reception centre for asylum seekers is in place and conditions are adequate.

Significant progress has been made in the area of migration management. Legislative alignment is advanced and in almost all areas corresponding policy frameworks and rulebooks have been developed, or are in the process of elaboration. Trainings should now continue at central and local level to ensure efficient implementation of the new measures. The creation of a computerised central database on foreigners and implementation of the recently adopted strategy for integration of refugees and migrants are challenges which are still to be overcome. Cooperation between authorities involved in the fight against illegal migration functions smoothly, and return procedures are efficient and in line with European standards.

Implementation of the EC-former Yugoslav Republic of Macedonia Readmission Agreement is proceeding smoothly.

The former Yugoslav Republic of Macedonia has made substantial progress on migration-related issues and appears to generally meet the benchmarks set under Block 2 of the roadmap.

Detailed comments on block 2 by policy area:

Border management (benchmarks 6-9)

November 2008 Assessment:

The legal basis for the border police's activities is the Law on police, which entered into force in 2007, the Law on state border surveillance, in force since 2007, and the Law on foreigners, in force since 2008.

In line with the Integrated Border Management Strategy (IBM), competence for border management has been transferred from the Ministry of Defence to the Ministry of Interior. Following the adoption of the Law on police, the Sector for border affairs and migration within the Bureau for public security of the Ministry of Interior was established as the highest strategic body of the border police. The director of the Bureau for Public Security has a direct command link over the four regional commanders (Skopje, Delcevo, Kavadarci and Ohrid). Within each regional command, there are border crossing posts of different categorisation and border police stations for the surveillance of the green border.

The National Coordination Centre for Border Management (NCCBM) was established in March 2007 and its coordinator appointed in November 2007. The centre will undertake activities such as monitoring and coordination of border activities, realising exchange of information, and conducting risk assessments. The NCCBM has both a strategic and operational coordination character. The tender procedure for equipping the NCCBM with an IT system allowing access to databases of ministries has been launched. The new IT system will allow also for risk analysis. To date, the most important border crossing points are linked with the NCCBM with remote video cameras, fax, and telephones.

A Memorandum of Understanding between the customs and the border police was signed in December 2006 envisaging joint cooperation on various issues such as risk analysis, joint controls, data and information exchange, (joint) training and education and joint working groups. The country developed a project for implementation of a single window system for import and export and a one stop shop control.

According to the national IBM Strategy on categorisation of the border crossing points, local BCPs cover the crossing points opened for border traffic with an option for specific limitations. At these BCPs, border control may be performed only by the border police or by the customs, without regular assistance from other authorities.

In March 2008, the standard operative procedures for state border surveillance were adopted in accordance with the Schengen Border Guards Handbook, containing instructions referring to checks on conditions for entry of aliens. The Law on foreigners establishes the presentation of travel insurance at the BCPs as an entry condition. The revision of this provision is ongoing. Comprehensive dissemination of a manual on 'Basic operative police procedures' has been ensured, while a manual on 'Practical Operative Police Procedures' has been drafted with EU support and is ready for printing and further dissemination. Both of these will define standard procedures in areas related to border work, including profiling of individuals, border surveillance, detection of illegal immigrants, methodology for checking travel documents, and conducting risk analysis.

A system of integrated risk management is in place. However, the country should prepare an overall strategy on risk management for the border police.

Activities to set up the Information System for IBM enabling centralised connection of BCPs with headquarters have been intensified, with the system now fully implemented at the five most frequently used BCPs. However, currently not all BCPs are planned to be connected to the central database in 2009. The complete integration of all BCPs into the data communication network should be a priority.

Detailed information is available on technical equipment at the BCPs and the facilities. Border control capacities were strengthened through upgrades and renovations in line with the 2008 Program for BCPs. The TETRA police radio system is currently being prepared. Coverage of approximately 90% of the territory is planned for 2012. The OSCE donated six VISPEC2 appliances for detection of forged documents which have been installed at six of the most frequently used BCPs. However, several BCPs and border police stations, in particular the smaller ones, are not yet adequately equipped. Further efforts are required to ensure that BCP facilities and available technical equipment are adequate to ensure that an efficient, high and uniform level of border control prevails.

The Ministry of Interior will adopt a strategy for human resources management and career development as well as an action plan covering the border police. It is important that this strategy is based on an in depth analysis of the staffing situation. Improvements were made regarding the planning and conducting of training for border police. Information was provided regarding the annual training plan for 2008, according to which 28 trainings have been conducted for 716 border police members. Furthermore, an anti-corruption training programme has been adopted for 2008 together with an action plan. More specific trainings should be provided to persons transferred from the Ministry of Defence to the border management authorities to ensure that all border officers receive a uniform level and type of training.

A meeting took place with FRONTEX representatives in Skopje, on 30 March – 1 April 2008, when a draft Working Agreement for operative cooperation between FRONTEX and the Ministry of Interior was submitted.

May 2009 Updated Assessment:

The Law on State Border Surveillance was amended in April 2009 in order to bring it further in line with the Schengen Border Code, in particular regarding definitions and terminology used, and clarification of the procedures for minimum and thorough checks at BCPs. The Law on Foreigners no longer establishes the presentation of travel insurance at the BCPs as an entry condition for citizens of EU Member States.

Strategic coordination for border management is provided by the National Commission for IBM, which also has responsibility for implementation of the Action Plan for IBM. At this level there is a strong willingness to develop border management towards EU standards and an awareness of current challenges. Operational coordination of inter-agency cooperation is provided by the National Coordination Centre for Border Management (NCCBM).

Regarding human resources of the border police, there are currently 2938 planned posts, and the staffing level is 81%. A general human resources strategy for the Ministry of Interior (including the border police) will be completed following the adoption of the Law on Internal Affairs. Further efforts are required to fill staff vacancies at all levels and deploy appropriate staff in sufficient numbers to carry out border control.

Training of the border police is provided in the Training Centre (which has adequate facilities) and at regional level. The annual training plan is ambitious and sufficiently covers all elements of basic training. There is however a need to develop curricula for middle- and higher-level border police officers, and continue basic trainings for border police officers who were transferred from the Ministry of Defence.

Regarding anti-corruption measures, significant efforts have been made. An anti-corruption programme was adopted in December 2008 and outlines a wide variety of measures to prevent and detect corruptive behaviour including modifying recruitment procedures, clearly defining officer competences at BCPs and reforming the salary system. The Ethical Code was found to be well-known to officers, and each Regional Centre has 4 officers specially trained to fight corruption. The possibility of corrupt behaviour is further reduced by the fact that all BCPs are under video surveillance by the NCCBM.

Further efforts are required to improve both situational awareness of the border police, and the risk analysis system. The reporting system should be strengthened to ensure real-time situational awareness at central level (Duty Operational Centre of the NCCBM). There is also a need to ensure an appropriate data flow from the central level back to regional and local level, as statistical data relevant for border management is available at central level, but BCPs and units responsible for border surveillance lack access to it.

Regarding risk analysis, although necessary action plans and strategy papers have been adopted and collection of relevant data is efficient, in practice an overall system for strategic and operational risk analysis is lacking. Further efforts are required to develop risk analysis units at central and regional level, to promote specialised trainings for intelligence officers and to efficiently disseminate risk analysis products.

Cooperation between units working at the border crossing points and units in charge of border surveillance at land and lake borders needs to be further strengthened. Nevertheless, the border police and regular police enjoy good practical cooperation and conduct joint actions and patrolling exercises which are targeted according to basic risk assessment. However there is an overall need for improved and modern equipment for border surveillance.

Border checks focus primarily on establishing identities through checks of travel and vehicle documents. Cooperation with customs is efficient. Questioning and profiling need to be further strengthened, with more emphasis placed on these activities in the basic operative police procedures manual. There is also a need to clarify procedures regarding illegal migrants apprehended at BCPs.

16 of the 20 BCPs have been connected to the central database of the Ministry of Interior, and plans exist to connect the remaining four by the end of 2009. All BCPs are under video surveillance, however technical equipment available at BCPs should be improved, and there is a need to increase availability of integrated document readers and equipment for detection of persons hiding in vehicles.

In general, practical cooperation with neighbouring countries is efficient and Coordination of border surveillance activities occurs. A working arrangement with FRONTEX entered into force on 20 January 2009.

Asylum (benchmarks 11-12)

November 2008 Assessment:

Legislative harmonisation with EU standards is on its way; further amendments to the Law on asylum and temporary protection are planned in 2008 and 2009, including provisions on the appeal system.

The country should ensure compliance with UNHCR recommendations, among others, on the principles of the subsidiary protection. The human resources of the asylum section should be strengthened through trainings, and further financial investments are required for the provision of adequate financial and material assistance for asylum-seekers.

A reception centre for asylum seekers in the vicinity of Skopje has been opened. The centre is staffed with 10 employees. To date there are 19 asylum seekers.

Updated May 2009 Assessment:

The asylum system is fully functional. The Law on Asylum and Temporary Protection was modified in November 2008 and will be further improved to ensure full harmonisation with European standards by mid-2009. The status of subsidiary protection has been introduced by recent legislative amendments. Transitional provisions ensuring that those currently benefiting from humanitarian status receive the new subsidiary protection status once the former has expired have been adopted (i.e. administrative guidelines of the Ministry of Interior of February 2009).

Since November 2008, appeals against first instance asylum decisions are handled by the Administrative Court. However, this appeal procedure includes only an examination of whether the Asylum Office has respected relevant procedural rules. Future legislative amendments should ensure that the Court also has the competence to provide independent judicial review of the substance of asylum decisions.

The Asylum Office, currently employs 10 persons is sufficiently staffed. Technical equipment at the Office was also recently upgraded.

Trainings on asylum-related issues have been organised for members of all relevant bodies (including border guards and the police), and will continue in 2009.

The reception centre (operated by the Ministry of Labour and Social Affairs) is in good condition, well managed and properly staffed and provides asylum seekers with language training, schooling for children and psychological and social care. Until end of February 2009 a total of 24 asylum seekers have been accommodated in the centre.

Migration management (benchmarks 10, 13-17)

November 2008 Assessment:

The new Law on aliens (01.01.2008) is meeting EU standards, although there are certain gaps. The National Plan for the Adoption of the Acquis (NPAA) foresees short and medium term measures to address these gaps.

The Law on Foreigners contains provisions on family reunification rules and permanent residence rights for third country nationals as well as provisions on carriers' responsibility and sanctions and takes into account EU standards.

An interservice group was charged with the development of migration policies in August 2008. The group comprises experts from the relevant national administrations and four representatives from the international community (IOM, ICMPD, UNHCR and MARRI). One of the priorities for the group in 2008 is to prepare a strategy for the integration of migrants and refugees. Basic information (statistics, existing legislative framework) regarding the strategy is provided but there is no indication yet on the main principles or concrete actions.

Data on legal and illegal migration flows are collected and analysed both at the central level, by the statistical bureau, and at regional level, by the regional centers for border affairs. As concerns data collection methods, the statistical bureau collects statistics on a monthly basis. The relevant categories of migrants foreseen in Council Regulation 862/2007/EC on data collection are considered but full harmonization has not yet been achieved. On central level, four persons carry out statistical evaluation, data analysis received from regional centers as well as following of migration flows. On regional level, 44 employees are in charge for measuring of migration flows and prevention of illegal migration. Regarding legal migration, 64 persons are employed in total. On regional level, there are also 19 employees in the analytics unit, who are tasked with statistical processing of data related to both legal and illegal migration.

A feasibility study on a central database for foreigners providing a communication network between ministries with migration related competences is currently being finalized with the assistance of Norwegian experts and funds from the state budget have been allocated.

The 2007 amendments to the Law on social protection introduced a new article providing that asylum seekers, refugees and persons enjoying temporary humanitarian protection have a right to social protection. Further amendments are being prepared and planned for adoption in 2009 to align the regime for legal migrants with the one for refugees.

Regarding prevention and suppression of illegal migration, the regional centers for border affairs include sections responsible for prevention of illegal state border crossing and the detection of illegally residing persons. As described above, these sections collect and analyse relevant data on illegal migration flows on which measures to fight illegal immigration are based. However, further efforts are required to ensure that border police at BCPs are provided with risk information to effectively combat illegal migration.

Training of officials involved in inland detection and the fight against illegal migration is currently being conducted according to the 2008 annual program for advanced and specialized

training of the border police. In this context, 28 regular trainings were held on asylum, the fight against trafficking in human beings, the smuggling of migrants and forgery of documents.

The criminal investigation manual for the police within the Ministry of Interior defines the methodology for performing criminal investigations regarding smuggling of migrants, as well as the cooperation between regional centres and the Organized crime department. However, in addition, legislation is required to develop a clear framework for cooperation between the authorities involved in the fight against illegal migration. The manual on practical operative police procedures defines the standard operative procedures in the area of migration, especially the procedures for detection of illegal migrants.

A recent priority has been the definition of a framework enabling cooperation between the authorities and the victims of human trafficking. A reception centre has been established within the Ministry of Interior to accommodate victims of human trafficking.

The country has a relatively well elaborated integrated return management policy. Expulsions have to be carried out in accordance with the Law on foreigners and the rulebook on foreigners, the contents of which appear to comply with EU standards. However, the number of expulsions carried out decreased from 656 removals in 2006 to 400 removals in the year 2007.

Implementation of the readmission agreement between the European Community and the former Yugoslav Republic of Macedonia is now underway and bilateral readmission agreements have been concluded or are being finalised with the main neighbouring countries of transit.

Updated May 2009 Assessment:

The legal framework for migration is provided by the Law on Foreigners and the Law on Employment and Work of Foreigners which are in line with EC standards. On this basis a strategic Resolution on Migration Policy for 2009-2014 was adopted in January 2009, and in almost all areas policy frameworks and rulebooks for implementation have been developed which formally meet relevant standards and requirements.

Regarding implementation, there is adequate cooperation between relevant authorities, under the strategic coordination of an interservice group. Responsibility for issuing residence permits lies with the MoI, while visas are issued by the Ministry of Foreign Affairs and work permits by the Ministry of Labour. Each foreign legal resident is issued with a personalised PIN number and receives a residence card with high quality security features (issued in Skopje only). In order to improve implementation of new concepts and tools there is a need to improve knowledge of relevant actors at all levels through trainings. In addition, a clear definition by law of the exact tasks of each authority is needed.

Regarding the monitoring of migration flows, further efforts are required to improve the database system. Several databases exist within various ministries on legal and illegal migration, and many are non-computerised and cannot be easily consulted by other authorities (e.g. police stations). Nevertheless, the database of the National Visa System (N-VIS) and the Database on Residence Cards are electronic, and the latter can store biometric data.

The forms for data collection were harmonised by a recent ministerial decree and are almost fully in line with European standards (Council Regulation 862/2007). The structure of analytical units is clear and efficient. The system for gathering data on illegal migration was substantially improved by the adoption in February 2009 of a Guidebook which defines the appropriate levels and methodology of data collection and introduces standardised terminology.

In January 2009, the interservice group for the creation of migration policies completed an updated migration profile for the former Yugoslav Republic of Macedonia. A new migration profile will be produced annually by the MoI.

Regarding integration policy, legislation currently grants substantial rights to legal migrants, but further efforts are required at the policy level. The strategy for the integration of refugees and migrants has been adopted in 2008 and is currently being translated into an action plan. It identifies measures ensuring access to social housing, employment, education and health protection as key future activities. Plans exist to create a central Integration Office to coordinate integration measures.

The investigation and detection of organised forms of illegal migration is coordinated by the organised crime unit of the Ministry of Interior and functions in a satisfactory manner. A proactive approach is adopted, with risk analysis and identification of priorities conducted on a regular basis. A wide network of cooperation with the liaison officers in the neighbouring countries (especially Albania, Bulgaria and Serbia) is established and efficiently used to prepare international investigations and actions. Illegal migration is generally transitory in nature, and data suggests that the majority of detected illegal migrants are intercepted at or near the border.

In conducting inland detection capacity to detect illegal workers should be strengthened by reinforcing cooperation between police authorities and the employment agency both at local and central level.

The procedure for expulsion of illegally residing third country nationals is functioning. The removals process is coordinated by the Regional Centres for border affairs, who enjoy good cooperation with neighbouring countries, in particular Albania. Most removals are conducted by land. In 2008, the number of successfully completed removal procedures substantially increased to 1301. During the first three months of 2009, 234 persons were returned.

Implementation of the EC-former Yugoslav Republic of Macedonia Readmission Agreement is proceeding smoothly.

BLOCK 3 Public order and security

General assessment of block 3:

The former Yugoslav Republic of Macedonia has made significant and continuous progress towards the fulfilment of the benchmarks of block 3.

The country's extensive legislative framework has been further enhanced in the area of organised crime, notably as regards trafficking in human beings, fight against drugs and fight against financial crimes.

Strategies and action plans continued to be implemented. Administrative capacity of the established bodies has been strengthened and further efforts were made to ensure that the necessary human and financial resources are available. Training of personnel in all relevant crime policy areas continued.

The country has strengthened the cooperation between the law enforcement agencies and the setting up of the national intelligence database is underway. It is important that once the database is operational, it is available countrywide to all law enforcement bodies. Progress was also made in the area of corruption notably by the improvement of cooperation between key stakeholders. Special investigative techniques are increasingly used in corruption cases and capacity building of relevant actors is underway. There has been some progress in prosecuting crimes related to organised crime, trafficking in human beings and money-laundering, but efforts should be maintained in this regard. The legal framework concerning judicial cooperation in criminal matters was improved; efforts should be maintained to setting up an efficient mechanism on mutual legal assistance.

It appears that the former Yugoslav Republic of Macedonia generally meets the benchmarks set under block 3 of the roadmap.

Detailed comments on block 3 by policy area:

General/Overall policy on preventing and fighting organised crime and terrorism (benchmarks 18, 23)

November 2008 Assessment:

The 2003 action plan on the fight of organised crime has been implemented. The achieved priorities include the establishment of special sections for fighting organised crime within the administration and law enforcement structures (i.e. in the Ministry of Interior and Public Prosecution Office). Furthermore, the administrative and operational capacity of the responsible authorities, including the judiciary, has been strengthened by specialised training on organised crime.

The establishment of a central intelligence structure as a last remaining issue in the action plan, is being addressed. In this context, a detailed separate plan (2008-2010) including a

financial implications study, an implementation project plan with timetable, responsible bodies and resources, has been approved by the government. The establishment of the sector for criminal intelligence and the national intelligence database is of outmost importance for efficient crime prevention, for fighting crime and for effective law enforcement co-operation. In particular standardized data collection and functional, interoperable databases lead to ensure smooth information exchange for operational activities. The preparation of the necessary legal framework and relevant infrastructure is a time-consuming and resource intensive procedure and the timely and efficient implementation of the project is important. In the meantime, ongoing crime data management has to be handled to the best standards. Electronic data storing is to be introduced in the different existing databases as much as possible. Curricula for training of staff on data management and the use of the new system need to be prepared.

Figures provided indicate a good number of high level cases and convictions in the fight against organized crime and corruption. Efforts need to be maintained in order to continue this positive trend and to achieve significant repression of crime on the ground as well as corruption in the public bodies in charge of implementing policies covered by the roadmap for visa liberalisation.

Updated May 2009 Assessment:

The effective implementation of the Action Plan on the fight against organised crime has continued. Moreover personnel in the relevant authorities is highly committed and well trained. A significant number of investigators have received international training and are involved in the training of other staff. Continued training efforts are necessary as regards management skills, new legislation, special investigative techniques and data management. Some vacancies need to be filled in line with the Ministry of Interior's Strategic Plan 2008-10.

The remaining measure of the Action Plan, namely the establishment of the central intelligence structure, is on track. It is important that once functional, the database is available countrywide for all law enforcement bodies.

The police Department of Organised Crime at central level is well-organised and staffed. The coordination among the different specialised units of the Department provides, among others, for successful profiling and investigations on organised criminal groups.

A new Criminal Procedure Code is currently under preparation and will bring significant changes that can lead to better fighting against organised crime (i.e. prosecutor in lead in pre-trial phase; judicial police and investigative centres to be set up). As a consequence several other laws will need to be modified (e.g. law on public prosecutors to take on board responsibility for investigations). Such measures should be given priority in the legislative calendar of law makers.

The positive trend has continued as regards convictions in cases related to organised crime and corruption as well as repression of crime on the ground and corruption in the relevant public bodies.

**Policy on preventing and fighting trafficking in human beings
(benchmarks 19, 23)**

November 2008 Assessment:

The national strategy and action plan are being implemented proactively and administrative structures have been strengthened in the area of preventing and fighting trafficking in human beings. Overall coordination was improved greatly with the appointment of a National Coordinator against trafficking in human beings in 2007. At field level, improvements in cooperation between the police, the public prosecutors and the courts are reported.

Efforts are under way to ensure that the needs of victims of trafficking, especially the vulnerable groups, are reflected not only in the legislation but also in administrative structures and in the types of assistance services available. The government has decided to provide complete financial support for existing shelters managed by NGOs. The country is undertaking training of experts both in the governmental and non-governmental sphere, by providing focus on victim identification and prevention. Legislation has been amended in order to accommodate international standards in witness protection. The witness protection programme itself has been activated for over a dozen witnesses. There are still shortcomings however in the logistics and funding of the departments for witness protection. There is a positive development as regards the number of investigations and severe prosecutions and convictions in trafficking cases.

A reinforced legal framework, including changes to the criminal code introducing harsher penalties, is in place. Standard operational procedures for proactive victim identification have been adopted and are effectively implemented resulting in a significant increase in the number of victims identified. In its policy, the country takes into account new crime developments and ensures updates of legislation to align with relevant international standards. However, the Council of Europe Convention on Action against Trafficking in Human Beings is yet to be ratified and implemented. Focused bilateral co-operation agreements contribute to regional co-operation at operational level to fight this cross-border crime phenomenon and these efforts need to be maintained.

Updated May 2009 Assessment:

Good coordination in this area has continued and training of regional and local police services in preventing and fighting trafficking in human beings is a clear priority.

The Parliament adopted the Law on the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings in April 2009. Its implementation into national law via by-laws needs to be pursued in the future.

Further efforts are being made in the area of protection of victims of trafficking with the modification of the legislative framework on their social protection. Together with the implementation of the recent law on families and the law on the rights of the children – in addition to other relevant laws – this is expected to lead to further improvement of the situation of trafficked victims. The Government has just taken over the responsibility from international donors over victim shelters. Nevertheless, it should be strictly ensured that the

full management of these facilities remain in the hand of NGOs and sustainable financial support is provided to their work.

Policy on preventing and fighting financial crimes (money-laundering, terrorist financing, confiscation of assets) (benchmarks 20, 23)

November 2008 Assessment:

The 2005-2008 national strategy to combat money laundering and financing of terrorism has been implemented and a new update for the period 2009-2011 is being prepared. This new strategy aims at further developing the anti-money laundering and financing of terrorism system and builds on the results achieved on the basis of the previous one.

The criminal law and special legislation in this field is being aligned with the relevant international standards and the EU acquis. A law on the prevention of money laundering and financing of terrorism was adopted in January 2008. Further modification and adoption of by-laws is planned for full harmonization in the areas of money-laundering, terrorist financing and confiscation of assets. Inter-agency cooperation in this area has steadily improved. The creation of the administrative and law enforcement capacity for the implementation of the legal measures has progressed well over the last few years, in particular, providing access to the Office for prevention of money-laundering to specific state databases, this leads to improved investigation and prosecution capacity of the law enforcement agencies. Similarly, the financial police gained legal status and has been empowered by being given the right of criminal prosecution for defined criminal acts. The number of reports of suspicious transactions is increasing even if it is still low. There have been three final convictions for money laundering and some ongoing cases with indictments.

The Law on management of confiscated property, property gain and items seized in criminal or misdemeanour proceedings is under preparation. The law foresees the establishment of an agency for managing confiscated assets. Adoption and implementation of the law should be given priority.

In general, the good co-operation in the area of financial and economic crime between the relevant national bodies and international counterparts, in particular with FIUs, needs to continue.

Updated May 2009 Assessment:

The new Strategy for Prevention of Money Laundering and Financing of Terrorism for 2009 – 2011 was adopted in January 2009 and builds further on the results of the previous strategy. In this respect progress with by-laws was made (e.g. requirements for the reporting institutions, software facilities of the IT banking systems, contents of the daily reports on the transactions concluded through the stock exchange). The existing Council against Money Laundering and Financing of Terrorism is mandated to be responsible for coordinating activities arising from the new strategy and reports annually to the Government.

The Criminal Procedure Code and the amendments to the Criminal Code addressing extended confiscation, illicit enrichment and liability of legal entities are in preparation.

The number of reports on suspicious transactions has been on further rise. The follow-up of the reports and cases leading to convictions need to be further improved. The training activities for the members of the MLA-Office, staff in reporting entities and also law enforcement agencies are organised and should continue.

The Law on management of confiscated property has been adopted (entered into force on 1 January 2009) and the foreseen Agency for Management of Seized Property is in place since 1st January 2009. It is of importance to ensure all the necessary human and financial resources to the Agency. Trainings of judges and prosecutors on matters concerning confiscation have already taken place and should continue together with training of law enforcement officials on the subject.

Anti-drug policy (benchmark 21)

November 2008 Assessment:

The new law on narcotic drugs was enacted in November 2008 and the legislative framework largely fulfils the *acquis* requirements and international standards. The implementation of the national 2006 anti-drugs strategy is gradually being implemented, in line with the two action plans adopted in 2007. The national drug strategy is in line with the EU drug strategy for 2005-12. The reinforcement of the implementation capacity of relevant bodies and authorities in preventing of and fighting drugs has been advanced as foreseen in the action plan. Growing seizures of illicit substances are reported.

The establishment of the national focal point in 2007, mandated for data collection and monitoring in the drug field reinforces coordination among the national authorities. However, the technical and personnel needs of the office, including training, are not yet ensured. The reported growing seizure of illicit substances indicates the focused activity of the authorities.

The recently started project with EMCDDA on standards of information collection and capacity assessment is important with a view to a standardised information system on drugs. The project on a national intelligence database helps to improve the accessibility of information on drugs among all law enforcement authorities and to facilitate international cooperation.

The drugs strategy addresses the strengthening of international cooperation but result-oriented national and cross-border operational activities need to be reinforced in order to dismantle organised drug activities.

Updated May 2009 Assessment:

The action plan on drugs covering 2008 -2012 is being implemented. The law on chemicals has been in force over a year and 6 by-laws were adopted so far out of 8 by June 2009. The

law on precursors was adopted and the all 6 by-laws adopted. Similarly by-laws and related programmes for the implementation of the law on narcotics are underway.

The work on drug related information collection in line with European and international standards is ongoing as scheduled.

There is strong international and regional law enforcement cooperation in the anti-drug area and the numbers of seizures at borders are increasing. Nevertheless, such actions are taking place mostly at the country's entry points. Mechanisms should be developed to have regular checks at border exit points and on the country's territory.

Policy on preventing and fighting corruption (benchmarks 22- 24)

November 2008 Assessment:

The country has ratified the key international conventions in the anti-corruption policy area and to a great extent aligned its national legislation to these standards. The Code of criminal procedure and the law on monitoring of communications were amended to allow use of special investigative measures for cases where corruption is suspected.

Law enforcement agencies, in particular the Ministry of Interior and the public prosecution services, and also the customs administration, demonstrated a steady determination to cooperate and coordinate. There is an increasing number of corruption charges being initiated and an increasing number of convictions. A good number of cases have been initiated pursuant to the law on conflict of interests and a number of misdemeanour procedures were brought against officials who failed to submit asset declarations.

The Law on prevention of corruption was strengthened, in particular to allow the State Anti-Corruption Commission (SACC) to publish the asset declarations without prior approval. The numerous legal acts in the area of anti-corruption make implementation and monitoring difficult however. A partial solution is provided by the Protocol for co-operation for prevention and repression of corruption and conflict of interest, concluded end 2007 among the key national stakeholders in the area of anti-corruption in order to ensure real co-ordination.

In 2008 the budget of the SACC was increased by 11%, five additional staff were allocated and new premises were opened. However, in order to ensure more efficient implementation of the different aspects of the anti-corruption policy, the capacity-building of the different authorities responsible for preventing and fighting corruption needs to be given further priority, in particular further strengthening of the SACC.

The OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions has not yet been signed and ratified. Measures are already planned for the implementation of the remaining GRECO recommendations of 2007. It is important that these initiatives are carried out as foreseen.

Updated May 2009 Assessment:

There is a steady increase in the number of corruption cases in which special investigative means, such as secret surveillance, simulating bribery and simulating acceptance of bribe are used. Moreover interception of communication is also being used in corruption cases since the beginning of the year.

Cooperation among key national stakeholders such as the State Anti –Corruption Commission, the Public Revenue Office, the Public Prosecutor’s Office for prosecuting Organized Crime and Corruption and the similarly specialised judges has improved.

In order to strengthen the public awareness and visibility of the State Anti –Corruption Commission, a strategic plan on public relations plan have been adopted in February 2009, including, a measure on the appointment and training of a spokesperson. Public trust in the Commissions' independence and impartiality is still insufficient.

The capacity building of the relevant actors in fighting corruption, such as the Anti-Corruption Units of the Ministry of Interior and the Financial Police, the basic Prosecutor's Office for Fight against Organised Crime and Corruption is underway (e.g. measures are currently undertaken to improve the level of staffing).

The number of convictions in corruption, especially those in high level corruption, although still low, is improving. The use of interception of communications in corruption cases, under the conditions provided by the law likely to lead to an increase of successful investigations and trials.

The implementation of the remaining GRECO recommendations continued.

Further efforts are needed to increase transparency of the decision-making process in public institutions.

Judicial co-operation in criminal matters (benchmarks 24- 26)

November 2008 Assessment:

The main European and international conventions in the field of extradition, mutual legal assistance and other forms of legal and judicial cooperation have been ratified and implemented. Nevertheless, one of the key documents, the 2nd Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters remains to be ratified and implemented. The general principle governing judicial cooperation in the country is that national rules regulate the procedure, unless a ratified international agreement regulates the matter.

Specific bodies are in place for judicial cooperation in criminal matters. The Ministry of Justice, through its International Legal assistance department, acts as central authority for incoming and outgoing requests of judicial cooperation, and forwards them to competent courts for judicial decision.

The procedure and the grounds for refusal of a request of extradition are explained and are consistent with international standards; figures and statistics are provided for. The country also has experience in transferring convicted persons, in accordance with the relevant European Convention on the Transfer of Sentenced Persons and its Additional Protocol. New means of judicial cooperation, such as videoconferencing, are used for Mutual Legal Assistance (MLA). Use of establishment of joint investigative teams and international protection of witnesses are not reported. While figures on MLA were provided, detailed information on the average timing for replying to incoming requests and on legal bases utilized (bilateral, Council of Europe or UN conventions) should still be provided.

Regional cooperation, at the level of the Public Prosecutor's Office, is well developed. A number of memoranda of understanding were signed with homologue authorities and Prosecutor's offices specialized in the fight against organized crime, corruption, trafficking in human beings with several neighboring countries.

Training needs are addressed through the Academy for Training of judges and public prosecutors which has good international contacts. EU financed projects on exchange of experiences and support of networking, and the recently started contacts with the European Judicial Training Network aim to develop and improve direct contacts with foreign judicial authorities.

As regards Eurojust, a contact person has been appointed, and negotiations for a specific agreement on cooperation are ongoing.

Updated May 2009 Assessment:

The 2nd Additional Protocol to the European Convention on Mutual Legal Assistance in criminal matters entered into force in April 2009. The Basic Public Prosecutors Office for Fight against Organised Crime and Corruption has the main responsibility for implementing actions falling under the Protocol. A number of steps have been taken in order to set-up an efficient mechanism to cope with the new responsibilities. The use of joint investigative teams has started.

Amendments were made to the Criminal Procedural Code taking on board international standards in mutual legal assistance (will be in force from June 2009) that can further increase the efficiency of dealing with such requests the number of which is on the rise.

The cooperation agreement with Eurojust has been signed in November 2008. The Law on Ratification of the Agreement was adopted on 15 April 2009 by the Parliament.

Law enforcement co-operation (benchmarks 27-30)

November 2008 Assessment:

In recent years, there has been good progress with the reform of the police. The necessary organizational arrangements and decentralisation for the implementation of the police law have been realized. The operational capacity of law enforcement authorities has been

improved by providing latest technology equipments to staff. However, training has been a weak point over the last years and the potential of the police Training Academy was not fully used. It is hoped that the recent establishment of the so-called "training centre" will improve the situation. Several joint operations have been carried out with the participation of different national bodies and there is active involvement in regional and international missions against organized crime groups. Work is on the way for the implementation of the strategic agreement with Europol and for the conclusion of an operational agreement.

The present arrangement for inter-agency co-operation (method for information exchange, signed memorandums and protocols for cooperation) seems to meet the needs but a revision is required with the upcoming establishment of the national intelligence database. Given the increased request and broadened scope of activities for international co-operation, further training needs have to be covered in order to familiarise law enforcement officials with the relevant knowledge on international standards, special investigative methods, mastering of foreign languages etc.

As regards the operational and special investigative capacities of the law enforcement services, a section for interception of communications is in place within the Organised crime department in the Ministry of Interior. The amendments to the Law on criminal procedure and to the Law on interception of communications do strengthen the legal framework. Previous legal gaps and shortcomings that made effective use of special investigative measures cumbersome have now been addressed. However, some new elements, such as the role of the Minister of Interior and the wide conditions for recourse to interception, have been introduced. In this context, proper implementation will be crucial to ensure the primacy of the judiciary and to avoid a too wide interpretation of the law. The efforts made by the authorities to improve the legal framework now need to be followed by training to relevant officials and more effective use of special investigative techniques needs while ensuring the required judicial oversight.

Updated May 2009 Assessment:

Human and financial resources of the recently established and reformed Police Training Centre need to be strengthened, especially to carry out the specialised training courses that were introduced in the curricula in 2009.

The Manual for conducting criminal investigations was adopted in 2008, unifying the manner of operational activities, so that besides more successful investigations it also leads to reinforced inter-agency cooperation. Cooperation among the units of the Organized Crime Department and with other authorities (Customs, Ministry of Justice, and others) is running smoothly. Police coordination with regional and local level and their operational capacities should be reinforced.

The present legal framework concerning investigative means and the available technical capacities are satisfactory. Nevertheless, the ongoing reform of Criminal Procedure Law might require some modification of the special law on the use of interception of communications. In order to ensure efficient but controlled use of these measures the necessary staff, as well as the police, prosecutors and the judiciary needs to be trained on a continuous basis.

The cooperation with EUROPOL has been well progressing recently. The data protection assessment will be finished soon by EUROPOL which can pave the way for the conclusion of an operational agreement.

The Sector for international police cooperation of the Ministry of Interior is the designated coordinating body for all assistance activities in regional and international cooperation and is also the contact point for the foreign liaison officers. The number of well-trained personnel needs to be reinforced in order to be able to cope with the increased number of assistance requests of all forms and to provide all around the clock service.

Protection of personal data (benchmarks 31, 32)

November 2008 Assessment:

Progress has been made in this field with the implementation of the Law on personal data protection. Amendments have been adopted that are intended to further align the law with the *acquis communautaire* and to strengthen the independence of the Directorate for personal data protection. The Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding supervisory authorities and transborder data flows (CETS No.: 181) was ratified in September 2008. The practical consequences of the limited application of the Law on the protection of personal data in the area of state security and defence (article 4 paragraph 2 of the LPDP), and the role of the Directorate for personal data protection in this regard are to be clarified.

Updated May 2009 Assessment:

An adequate legal framework is in place ensuring the protection of personal data, together with an independent data protection supervisory authority. The Directorate for personal data protection need to continue to apply and enforce the rules effectively.

BLOCK 4 External Relations and Fundamental Rights

General assessment of block 4:

The former Yugoslav Republic of Macedonia is well advanced in the areas covered by the benchmarks of block 4.

It has an adequate legal framework ensuring freedom of movement of its citizens and access to personal documents. In practice, however, it is estimated that a significant number of Roma are lacking personal documents.

There is a high number of constitutional guarantees as regards non-majority communities which have been put into practice through the implementation of the Ohrid framework agreement and which include specific legislation, structures and concrete actions.

A draft general law on anti-discrimination is pending before Parliament. It aims to align with EC acquis on anti-discrimination and should further improve the level of legal protection against discrimination.

The rules on citizenship are in line with EU practice. Citizenship is primarily acquired on the basis of origin. Citizenship by naturalisation is subject to strict conditions

The legislation sets a high level of protection of minorities. A Roma strategy and action plans are in place but their implementation is slow.

It appears that the former Yugoslav Republic of Macedonia meets the benchmarks set under block 4 of the roadmap.

Detailed comments on block 4 by policy area:

Freedom of movement and identity documents (benchmarks 33 - 35)

November 2008 Assessment:

The Constitution contains the right to freedom of movement within the state and to leave the state and return for each citizen. This freedom can only be limited for reasons of protection of the security of the state, criminal proceedings and protection of health of people.

Mechanisms to deal with complaints include use of the regular courts or the Constitutional Court, use of the ombudsperson or a claims procedure. The country indicates that there are no official cases of complaints reported. The planned law on protection against discrimination will introduce more effective mechanisms for handling individual complaints for all kinds of discrimination.

As regards access to travel and identity documents, the Law on identity cards and the Law on travel documents set out the provisions for obtaining these documents. Special efforts are made to ensure access to documents for specific groups. The Law on travel documents provides that members of the Turkish, Vlach, Serbian, Roma and Bosniak communities can choose to have their name printed on the passport in their language. Citizens of the Albanian community can have their passport issued in two languages. Mobile units exist for disabled people and biometric data could also be obtained in hospitals. Exemptions for paying administrative taxes for obtaining a travel document exist for people benefiting from social protection. In order to encourage Roma citizens to register new born babies, awareness programs have been set up and there is an increase of timely registrations.

The Law on asylum and temporary protection settles the issuing of identity documents for refugees. Special documents are issued on an annual basis to people qualifying as Internally Displaced Persons.

Updated May 2009 Assessment:

The authorities recognize the problem of access to documents by Roma and other vulnerable groups. There is no reliable information on the exact number of persons facing problems in this respect. This situation is mainly due to the lack of information on how to acquire documents and to the poor financial situation of persons belonging to Roma ethnic community and other vulnerable groups. Measures are being undertaken by the authorities in the area.

All refugees, asylum seekers and persons under humanitarian protection have ID cards. As the category “persons under humanitarian protection” has been replaced by “persons under subsidiary protection”, the issuance of the new IDs for persons under subsidiary protection will start in the first quarter of 2009.

Citizens' rights including protection of minorities (benchmarks 36 - 40)

November 2008 Assessment:

In addition to constitutional anti-discrimination stipulations and provisions in criminal, civil and administrative laws, a comprehensive anti-discrimination law is being prepared. This framework law will help to ensure more effective protection of citizens against possible forms of discrimination.

The Law on citizenship (1992/2004) foresees the conditions for requiring citizenship (by origin, birth on the territory, naturalisation and international agreements). The law uses the definition of citizenship as foreseen in the European Convention on Nationality. Specific provisions were foreseen for citizens of former Yugoslavia. These persons had the possibility to apply for citizenship of the former Yugoslav Republic of Macedonia until 2006. As regards dual citizenship, a citizen of the former Yugoslav Republic of Macedonia holding citizenship of another state is considered to be exclusively a citizen of the former Yugoslav Republic of Macedonia unless otherwise stipulated by international agreement.

The Sector for internal control and professional standards in the Ministry of Interior undertakes controls on the work of the police with regard to human rights and freedoms. The sector is also responsible for investigating complaints from citizens regarding incidents with law enforcement officials. In 2007, there were six cases referring to discrimination and equitable representation but none in the area of free movement.

There are several constitutional guarantees regarding the members of non-majority communities (Albanian, Bosniak, Roma, Serbian, Turkish, Vlach). These include for instance the right to cultural identity, use of languages (any other language spoken by at least 20% of the citizens is also an official language), use of languages at local level and equitable representation. Efforts are made in different fields to implement the constitutional provisions. The Ohrid Framework Agreement is a crucial guarantee for the rights of the non-majority communities. A strategy for equitable representation was adopted in 2007. A Law on languages was adopted in 2008 as well as a Law on the advancement and protection of the rights of the smaller communities providing for a specialised agency to be set up. Committees for relations between communities have been set up at local level in nearly all municipalities required by the law as well in some with minority populations below the legal threshold of 20%. More efforts are needed to address the concerns of the smaller communities. In particular a rapid solution is needed for the problem of Roma and ethnic Albanians lacking personal documents such as birth certificates and medical insurance cards.

The Roma strategy and action plan for the Roma decade (2005-2015) have been allocated a budget of 327.000 €. Measures are focused on education, settlements, employment and children. However, progress on implementation is slow and hampered by weak inter-ministerial coordination and lack of commitment in the line ministries.

Updated May 2009 Assessment:

A number of constitutional provisions protect equal rights for all citizens and provide for positive discrimination in favour of minorities. The constitutional court has extensive powers to ensure that all rights including non-discrimination are implemented in law. The Ombudsman is required to pay special attention to discrimination against minorities. There are also anti-discrimination provisions in a number of sectoral laws, such as the criminal code (which criminalises discrimination based on e.g. race and gender), the labour code and the law on equal opportunities for men and women.

A new anti-discrimination law is pending before Parliament. This law would cover all grounds of discrimination under the *acquis*, as well as a wide range of sectors (employment, social security, education, goods and services, housing). It would establish an equality body either by granting new powers to the Ombudsman or creating a new council for the prevention of discrimination.

In terms of implementation, the available statistics show a limited number of cases. In 2007 the Ombudsman received only six discrimination complaints (0.2 % of total complaints), the statistics for 2008 are still to be published. Records of discrimination cases are not kept by the police forces as the police have no special procedures to deal with discrimination cases.

Citizenship is acquired by origin, provided that at the time of the child's birth both parents are citizens of the former Yugoslav Republic of Macedonia, or that one of them is a citizen of the former Yugoslav Republic of Macedonia and the child is born on the territory of the former

Yugoslav Republic of Macedonia.

Citizenship by birth on the territory of the former Yugoslav Republic of Macedonia is acquired only in cases when the child is found or born on the territory of the state and the parents are unknown or are with unknown citizenship or do not hold citizenship.

Naturalisation is subject to strict conditions, including legal and continuous residence for at least 8 years, or 2 years in case of marriage, prior to the request. As from 2006, citizens of countries of the former Yugoslavia have to fulfil the same conditions for acquiring citizenship as other foreign citizens. Dual citizenship is allowed.

The Ministry of Interior is responsible for investigating complaints from citizens regarding incidents with police forces. In 2008 there were 64 complains from citizens concerning police use of physical force. There are about 30 complaints every year. Disciplinary measures have been taken against special police for excessive use of force against Roma. The mechanism for handling complaints against police forces is under review, and to date the administrative capacity of the Public Prosecutor's office to handle such complaints has been strengthened.

A high level of protection of minorities is enshrined in the Constitution and a number of laws. The country is also a party to all relevant international treaties, which are directly applicable in national law under Article 118 of the Constitution.

The Roma Strategy and the action plans for inclusion of Roma are slowly being implemented (2009 budget is 375.000 €). As of date, there are two projects in co-operation with NGOs: inclusion of Roma children in pre-school education and establishment of Roma Information Centres. In 2008, an additional action plan was adopted in order to improve the status of Roma women.