

LAW ON WITNESS PROTECTION

26 May 2005

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I. GENERAL PROVISION

Basic Provision

Article 1

This law regulates the procedure and conditions for providing witness protection and assistance to the witnesses, defines the measures for protection and establishes Council for witness protection and Department for witness protection.

The provisions of this law are also applied to collaborators to justice, victims who appear in capacity of witnesses, as well as to close persons of the witnesses, collaborators to justice and victims who appear in capacity of witnesses.

Meaning of terms

Article 2

Terms used in this law have the following meaning:

1. "Witness" is any person who according to Law on Criminal Procedure, has the role of witness, and possesses information for the committing of the crime, the perpetrator, and other relevant circumstances, i.e. data and information relevant for the criminal procedure which are necessary and crucial for proving the criminal act, by which revealing the life, health, freedom, physical integrity or property of bigger amount of the witness are exposed to danger.
2. "Collaborator to justice" is a person against whom an indictment is filled, is convicted, or member of criminal group, gang or other association, or has participated in committing a crime in the area of organized crime, but has agreed to cooperate with the bodies authorized to identify, prosecute and trial the criminal acts, particularly to give a statement in capacity of witness in the criminal procedure, related to the criminal group, band or other association or to any other criminal act connected with organized crime.
3. "Victim who appears in capacity of a witness" is any person whose personal or property right is damaged or endangered by the committed criminal act, who possesses information relevant to the criminal procedure, which if released, his/her life, health, freedom, physical integrity or property of bigger amount would be exposed to danger, but has agreed to cooperate with the justice system, by giving a statement appearing in capacity of witness in the criminal procedure.
4. "Close person" is:

- spouse and non-marital partner of the witness, collaborator to justice and the victim which appears in the capacity of witness,
 - relatives of the witness, collaborator to justice and the victim which appears in the capacity of witness by blood filiations in straight line, the relatives in side line till the third level, as well as the in-laws relatives till second level;
 - foster child and foster parent of the witness, collaborators to justice and the victim which appears in the capacity of witness and
 - other person that the witness, collaborator to justice and the victim which appears in capacity of witness considers as close person and for whom he/she asks to be involved in the program for protection.
5. ““Protected person” is witness, collaborator of justice, victim in capacity of witness, and their close persons, who with a decision of the Council for witness protection is involved in the Protection Program and with whom the Department for witness protection has contracted Agreement for protection.
6. “Witness Protection Program” (hereinafter “Program”) is system of measures and activities stipulated in this law, that the Department for witness protection is undertaking for protection of the life, health, freedom, physical integrity or property of bigger amount of the persons involved in it.
7. “Council for witness protection” (hereinafter “Council”) is body that makes the Decision for inclusion of certain person in the Program, for cessation of the program and determines the measure “change of identity”.
8. “Department for witness protection” (hereinafter “Department”) is internal organization unit within the Ministry of Interior in charge of implementation of he Program.
9. “Agreement for witness protection” (hereinafter “Agreement”) is an act made in written form between the Department and the witness, collaborator to justice, victim which appears in capacity of witness, and their close persons, and encompasses rights and obligations of the Department and the witness, collaborator to justice, victim which appears in the capacity of witness, and their close persons, as well as the terms for providing and termination of the protection.
10. “Measures for protection” are activities stipulated in this law, undertaken by the Department for protection of the witness, collaborator to justice, victim which appears in capacity of witness, and their close persons, of any kind of threatening to their life, health, freedom, physical integrity or property of bigger amount and
11. “Intimidation” means any kind of direct or indirect threatening to the witness, collaborator to justice, victim which appears in capacity of witness, and their close persons, which can affect the will of the person to give statement in the capacity of witness in the criminal procedure.

Law enforcement

Article 3

This law is applied if the proving of the criminal act would have been accompanied with extreme difficulties or could not be conducted without a statement of a person, which, due to the possible danger of being exposed of intimidation, threatening with revenge or danger over life, health, freedom, physical integrity or property of bigger amount, does not agree in the capacity of witness, to provide statement in the following crimes:

- against the state
- against the humanity and the international law,
- organized crime and
- for which the Criminal Code stipulates sentence of at least 4 years' imprisonment

Handling information with confidential character

Article 4

Information that officials receive during the official conduct of duty related to the protection measures is classified information with appropriate degree of confidentiality pursuant to law.

Any person or body involved in the procedure of protection, shall not, without authorization from the Department, give any information related to certain witness, collaborator to justice, victim which appears in capacity of witness, and their close persons, or information related to measures for protection, in the period before involvement in the Program, during implementation of the measures and after ceasing the Program.

The prohibition for providing information stipulated in paragraph 2 is permanent for the employed in the Department.

The exchange of data between the competent bodies shall be conducted in a way that the security of the protected witness, collaborator to justice and victim, which appears in capacity of witness, and their close persons, must not be endangered.

The competent bodies are obliged to notify the Department immediately for every request for revealing classified information.

Consent for involvement in the Program

Article 5

For involving into the Program, a written confirmation by the person that is proposed to be involved in the Program is required.

For involvement of a juvenile person into the Program, a written approval from his/her parents, legal representative or guardian is required.

For involvement of a person with suspended entrepreneurial ability into the Program, a written approval from the legal representative or the guardian is required.

II. COUNCIL FOR WITNESS PROTECTION

Constitution and appointing members of the Council

Article 6

The Council for witness protection is consisted of five members.

Members of the Council for witness protection are: representative of the Supreme Court of the Republic of Macedonia from the row of Judges, representative of the Public Prosecutor's office of the Republic of Macedonia from the row of deputy public prosecutors, the Director of the Directorate for executing sanctions at the Ministry of Justice, representative from the MoI and the Head of the Department for witness protection at the Ministry of Interior.

The members of paragraph 2 of this article have their deputies that are representatives of the same organ of the members that they are replacing.

The members of the Council, i.e. their deputies are appointed and dismissed by the official that is managing the body they present.

Article 7

Members of the Council, except the head of the Department and the Director of the Directorate for execution of sanctions and their deputies, are appointed for duration of five years with the right of re-election.

Ceasing of the membership in the Council

Article 8

Membership of the Council ceases:

- with cessation of the execution of the function, i.e. with the termination of the working relationship of the member or his/her deputy in the organ that he/she represents, i.e. with expiry of the time that he/she is appointed;
- for justified reasons, upon a request by the member or his/her deputy;

- due to violation of the provisions in the Rulebook of the Council; and
- because of revealing classified information related to the work of the Council.

The decision for cessation of the membership in the Council is brought ex officio by the official of the organ that appointed the member or his/her deputy due to the reasons stipulated in paragraph 1, line 1 of this article; i.e. upon a proposal of the member or his/her deputy due to reasons stipulated in paragraph 1 line 2 of this article; and upon a proposal of the Council due to the reasons stipulated in paragraph 1 line 3 and 4 of this article.

President of the Council

Article 9

A President is in charge for managing the Council and in his/her absence the deputy. President of the Council and his deputy are representatives of the Supreme Court of the Republic of Macedonia.

Competence of the Council

Article 10

The Council is authorized to:

- make a Decision for involvement of the person in the Program;
- make a Decision for cessation of the Program; and
- make a Decision for application of the measure for protection “change of identity”.

Article 11

The Council works in closed sessions of secret character.

The Council can bring decision if at least 4 members or their deputies are present at the session.

For bringing a decision for involvement into the Program, for termination of the measures for protection, as well as for determination of the measure “change of identity”, consent of at least 4 members of the Council is needed, and the other decisions are made with majority votes from the present members of the Council.

The administrative-technical matters of the Council are preformed by the Department.

The Council brings Rulebook for the work.

III. DEPARTMENT FOR WITNESS PROTECTION

Scope of work of the Department

Article 12

A Department is established in the Ministry of Interior.

The Department has the following scope of work:

- to involve the persons from article 2 paragraph 1, lines 1,2,3 and 4 of this law in the Program, upon Decision made by the Council
- to decide for determination of the measures for protection, except for the measure “change of identity”,
- to implement the measures for protection,
- to give legal aid to the persons of article 2 paragraph 1 lines 1,2,3 and 4 of this law,
- to implement of the Program,
- to make an agreement for protection with the person involved in the Program;
- to establish and record data for the protected persons.
- to manage the financial resources allocated for the implementation of the Program;
- to realize cooperation with the appropriate services for witness protection from other countries;
- to organize continuing education and training for the persons employed in the Department.
- to keep the original documents for the identity of the persons from Article 2 paragraph 1 items 1, 2, 3 and 4 of this Law;
- To draft operative guidelines and instructions for implementation of the measures for protection.

The Minister of Interior shall regulate the manner of conducting the data records from paragraph 2 line 7 of this article, and the manner of keeping the original documents for the identity of the protected person with by-laws.

Disguising the identity of the employees in the department and its property

Article 13

If there is no other way for implementation of the measures for protection envisioned in article 26 of this law, with aim to perform the tasks from the scope of work, the Department may disguise the identity of its employees, or the ownership of real estate properties and movable objects used by the employees for implementation of a certain measures, as in accordance with this law.

Cooperation and giving assistance to the Department by state and other organs and institutions

Article 14

State and other organs and institutions are bound to give assistance to the Department while performing tasks of its scope of work.

IV. PROCEDURE FOR INVOLVEMENT IN THE PROGRAM

Proposal and request for involvement in the Program

Article 15

The proposal for involvement in the Program is submitted to the Council by the Public Prosecutor of the Republic of Macedonia.

The Public Prosecutor of the Republic of Macedonia submits the proposal from paragraph 1 of this article on the base of written request for involvement in the Program, submitted by the Ministry of Interior, the competent public prosecutor, the judge who acts upon the alleged case.

The request for involvement in the Program of paragraph 2 of this article may also be submitted by the person who due to possible danger to be exposed to intimidation, threat of revenge or danger to life, health, freedom, physical integrity or property of bigger amount, does not agree in the capacity of witness to give statement in the criminal procedure, for what the Public Prosecutor of Republic Macedonia shall ask the authorized public prosecutor to provide him data as in article 16 of this law.

The Public Prosecutor of Republic Macedonia submits to the Department all the necessary information for the person suggested for involvement in the program, for obtaining opinion contained of description and assessment of the danger threatening to the person, proposal for the expenses for conducting the measures for protection and proposal for the measures for protection and their duration.

The Public Prosecutor of the Republic Macedonia determines the content and the form of the proposal for involvement in the program and the request for involvement in the program.

Content of the request for involvement in the Program

Article 16

The request from article 15 paragraph 2 of this law contains:

1. Data for the person whose protection is proposed, for involvement in the Program (name, father's name and surname, maiden surname, unique ID number, residence, day, month, year and place of birth, profession, marital status, property status, if, when and why the person was convicted, if and when he/she has served the sentenced punishment etc.);
2. Description of the criminal act and assessment of existing evidence;
3. Concrete facts and circumstances of substantial relevance for determining the factual situation related to the criminal act for which, the person proposed for protection have information, but is not prepared to reveal it if his/her protection is not provided;
4. Content of the possible statement with assessment of the importance of the procedure;
5. Request by the person whose protection is proposed, for involvement in the Program of his/her close persons, if the person stated such a request;
6. Description and assessment of the danger that threatens the person whose protection is proposed and
7. other necessary data and information.

Content of the proposal for involvement in the Program

Article 17

If the Public Prosecutor of the Republic of Macedonia accepts the request from article 15 paragraph 2 of this law, within 8 days from the day of reception of the request, he shall submit Proposal for involvement in the program to the Council, consisted of:

1. data about the person that is proposed to be involved into the Program (name, father's name and last name, maiden name, unique ID number, residence, day, month, year and place of birth, profession, marital status, property, if, when and why the person was convicted, if and when he/she has served the sentenced punishment and etc);
2. proposed measures for protection of the person and proposal for their duration;
3. description of the criminal act and assessment of the existing evidences;
4. concrete facts and circumstances of substantial relevance for determining the factual situation related to the criminal act for which, the person proposed for

- protection, have information, but is not prepared to reveal it if his/her protection is not provided;
5. content of the possible statement with assessment of its importance in the procedure;
 6. request by the person whose protection is proposed, for involvement in the Program of his/her close persons, if the person stated such a request;
 7. description and assessment of the danger that threatens the person suggested for protection;
 8. opinion from the Department containing the description and the assessment of the danger threatening the person whose protection is proposed, proposal of the expenses for conducting the measures for protection and proposal for measures for protection and their duration;
 9. other necessary data and information.

Conditions for involvement in the Program

Article 18

When making the Decision for involvement in the Program, the Council shall take in consideration, particularly, the following criteria:

- the importance of the information possessed by the person whose protection is proposed concerning the committed crime, its perpetrator and other important circumstances, i.e. data and information pertinent for the criminal procedure which are necessary and essential for the proving of the criminal act,
- information important for the criminal procedure possessed by the persons whose protection is proposed, which can not be obtained in other way,
- seriousness of the frightening,
- the will of the person whose protection is proposed to cooperate with the judicial bodies and in the process of conducting the measures for protection with the Department.

Bringing a decision upon the proposal for involvement in the Program

Article 19

After the reception of the proposal by the Public Prosecutor of the Republic of Macedonia, the President of the Council, immediately and latest within 8 days, assembles a session of the Council.

The Council may ask the Public Prosecutor of the Republic of Macedonia for additional data and information related to the proposal for involvement in the Program.

After considering the proposal for involvement in the Program, the Council latest within 30 days from the day of submitting the proposal by the Public Prosecutor of the

Republic of Macedonia will bring a decision for which he will inform the Public Prosecutor of the Republic of Macedonia and the Department.

If the proposal for involvement in the Program is accepted, the Council will oblige the Department to make an agreement with the person involved in the Program.

If the Council makes a decision for involvement in the Program of a close person, the Council will oblige the Department to make an agreement with the close person.

Content of the decision for involvement in the Program

Article 20

The Decision for involvement in the Program is consisted of:

- data for the person involved in the Program (name, father's name and surname, residence, unique ID number, date, month, year and place of birth and etc.), as well as the data for his close persons involved in the Program,
- data for the criminal case;
- description and assessment of the danger that threatens the person involved in the Program and
- measure for protection" change of identity", only if decided to enforce this measure.

Article 21

Before making the decision of the article 19 of this law, the Council requests a written consent from the person for whom the procedure for involvement in the program is conducted.

The decision along with the written consent from the person, for involvement in the program from paragraph 1 of this article, is delivered to the Department.

Procedure for extension of the duration of the measures for protection determined in the Program

Article 22

If after the expiry of the duration of the measures for protection determined in the Program and determined with the Agreement, there is still need for protection of the person, the Head of the Department or the Public Prosecutor of the Republic of Macedonia shall submit to the Council a request for continuation of the measures for protection.

The request from paragraph 1 of this Article is submitted latest in a period of 30 days before the expiry of the duration of the measures for protection, and in exceptional cases if the security of the protected person requires, can be also submitted after the expiry of the measures for protection.

The duration of the measures for protection from paragraph 1 of this article can be continued only with consent from the protected person.

Urgent measures

Article 23

Urgent measures

Article 23

If the Public Prosecutor of the Republic of Macedonia assesses that the life, health, freedom, physical integrity or property in larger scope of the witness, collaborator of justice, the victim in capacity of witness, and their close persons are exposed to a serious danger that can not be removed with the proper measures for protection provided from the Police to the citizens, simultaneously with the proposal for involvement into the Program shall notify the Department for the need of application of urgent measures.

After the receipt of the notification from paragraph 1 of this article, the Department in a time period of 24 hours shall enact a decision for their implementation, shall undertake all the measures and for that shall notify the Council and the Public Prosecutor of Republic of Macedonia.

Before undertaking urgent measures, the Head of the Department shall obtain written consent from the person for whom the urgent measures are to be applied.

The urgent measures from paragraph 1 of this article last until the Council enacts a decision for involvement of the person in the Program, but at most 3 months from the day of their undertaking.

The measures from Article 26 item 1, 2 and 3 from this Law can be conducted as urgent measures.

Article 24

After bringing the decision for implementation of the urgent measures and determination of the type of measures, the Head of the Department will ask the person to whom the urgent measures are applied, to take a medical examination and to fill out questionnaire (personal data, property, obligations towards third parties and other information).

The form and the content of the questionnaire of paragraph 1 of this article are prescribed by the Minister of internal affairs.

V. AGREEMENT FOR WITNESS PROTECTION

Article 25

After receiving the decision from article 19 of this law and the written approval from article 21 of this law, the Department concludes an agreement with the person involved in the Program.

Before concluding the agreement, the person involved in the Program fills out the questionnaire from article 24 paragraph 1 of this law.

The agreement of paragraph 1 of this article consists:

- a) General data;
- b) Obligation towards the person involved in the Program:
 - that during the whole Program legal, psychological and other necessary help will be provided for the protected persons;
 - that the person will be economically and socially assisted until his/her independence. This support can not be larger than the amount sufficient to cover the life expenses for integration of the protected person in the new living or residing environment.
- c) Obligations of the protected person:
 - that in a role of a witness, will give a complete testimony in accordance with the testimony consisted in the statement that served as a base for involvement in the Program,
 - that will follow the guidelines of the Department,
 - that for the aims of his/her protection he/she agrees without court decision towards him to be conducted surveillance and recording of the means for communications, surveillance and recording of the resident premises, as well as his secret surveillance and recording, i.e. he agrees the necessary limitations to be conducted to his/her personal liberties and rights,
 - that will submit his bills, financial and other type of obligations and
 - that without delay will inform the Department for the change of all circumstances that may influence a change in the implementation of the Program;
- d) The duration of the measures for protection, as well as the conditions for termination of the Agreement;
- e) A clause according to which the Agreement is made in one copy kept in the Department and that the arranged obligations arising from the Agreement can not be an object of civil or other court dispute.

f) A statement that is a part of the Agreement, given from the person involved in the Program, in which he/she states that he/she is familiar with and understands the content of the Agreement

g) Date and signature of the parties.

The content of the person that shall be involved into the Program and his/her statement that the data stated into the questionnaire are correct are an integral part of the Agreement.

The agreement given in the name of juvenile or person with suspended entrepreneurial ability is signed by the person from article 5 paragraph 2 and 3 of this law.

The agreement is made in one copy and is kept in the Department.

VI. MEASURES FOR PROTECTION

Types of measures for protection

Article 26

The measures for protection are:

- 1) keeping the secrecy of the identity,
- 2) providing personal protection,
- 3) change of the place of living or residing and
- 4) change of the identity.

Article 27

The measures for protection determined in article 26 of this law are enforced by the Department.

If the Department considers that it is necessary to apply the “change of identity” measure, it submits a request to the Council for application of this measure.

The Council decides upon the request stated in paragraph 2 of this article, submitted by the Department within 15 days of its submitting.

Keeping the confidentiality of the identity

Article 28

The measure keeping the confidentiality of the identity encompasses processing and use of personal documents with temporarily altered personal data of the protected person, as well as processing and use of documents for ownership of certain estate of the protected person.

The enforcement of the measure from paragraph 1 of this article does not mean actual change of personal and property data of the protected person in the regular records of the authorized bodies.

The protected person can use the documents from paragraph 1 of this Article for making certain agreements and other legal matters with third persons only with previous consent from the Department. If the Department does not give this consent, the protected person can, upon the approval from the Department, determine his proxy who shall then use the person's real name and data and on his/her behalf and account conclude the agreement or the other legal matters.

Providing personal protection

Article 29

The measure for protection "providing personal protection" is consisted of operative, physical and technical protection of the protected person with aim to prevent the threatening of his/her life, health, freedom, physical integrity or property of bigger amount.

Change of the place of living or residing

Article 30

The measure for protection "change of the place of living, i.e. residing" of the protected person is realized through a temporary or permanent change of his/her place of living, i.e. residing with another place of living, i.e. residing, determined by the Department.

The measure for protection of paragraph 1 of this article can be applied on the territory of the Republic of Macedonia or outside of its territory, in accordance with the ratified international agreements.

Collaborator of justice serving the sentence of imprisonment in Republic of Macedonia and to whom the measure for protection "change of the place of living, i.e. residing" is determined, can be displaced in another country for serving the sentence of imprisonment, in accordance with a ratified international agreement.

Change of identity

Article 31

The measure for protection “change of the identity” is consisted of partial or complete change of the personal data of the protected person. The personal data entered into the new documents can not be the same with the data of some other person.

Receiving new identity does not have influence on the status and other rights and obligations of the protected person.

After the expiry of the measure for protection “change of the identity”, the protected person can declare himself about keeping the new identity.

The protected person cannot restore his authentic identity if the change of the identity has significantly influenced on the status of a third person (marriage, paternity, maternity etc.)

Upon written permission of the Department, and in accordance with the guidelines for keeping the confidentiality and providing the complete security of the protected person, he/she can participate with his authentic personal data in an official procedure where the use of the personal authentic data is inevitable.

The original documents for the identity of the protected person are kept in the Department.

In implementing the measure for protection “change of identity”, activities for change of the physical characteristics of the protected person can be undertaken.

Article 32

If a decision for appliance of the measure “change of identity” is made, the Department will ask the person suggested for involvement in the Program, before signing the agreement, to fulfill his due obligations towards third parties.

If the person suggested for involvement in the Program does not fulfill the obligations from paragraph 1 of this article, the measure for protection “change of identity” will not be applied until the due obligations towards the third parties are not fulfilled.

In case when after signing the agreement, the Department receives information for an obligation that occurred when the protected person had had the authentic identity, the

Department will ask the protected person to fulfill the obligation, with the mediation of the Department. If the person is not able or is not willing to fulfill the obligation, the Department will inform the Council in a written form. The Council within three days from the day of receipt will decide for termination of the measure for protection “change of identity” and for cessation of the Program.

Article 33

If the protected person committed a criminal act before the change of identity, upon a request of the court, the Department secures his/her presence and usage of the authentic identity, and the Court can determine special manner for hearing, in accordance with the Law on criminal procedure.

Article 34

If the protected person commits a criminal act after signing the Agreement, the department will inform the Council which can bring a decision for cessation of the Program.

Article 35

All the contacts with the protected person that are related to his/her status and other rights and obligations, are fulfilled with the mediation of the Department.

Article 36

In case of a participation of the protected person in capacity of witness in a criminal procedure, the summon is delivered to him/her with mediation of the Department which will secure his/her presence, and the court can determine special manner for hearing, in accordance with the Law on criminal procedure.

Making and use of documents

Article 37

The making and the use of the documents that are used in accordance with this law, with aim to achieve realization of the measures for protection do not present a criminal act, or violation of other regulation.

Article 38

Collaborator of justice involved in the Program, with whom the Department has concluded an Agreement, if he/she is serving a sentence of imprisonment, enjoys special prerogatives and conditions in the penitentiary, in accordance with the law.

VII. CESSATION OF THE PROGRAM

Article 39

The Program ceases:

1. With expiry of the time foreseen in the Agreement;
2. With death of the protected person;
3. If the protected person or his legal representative gives up from the protection, for which they submit a written statement to the Department;
4. Due to the discontinuation of the reasons due to which the person is involved in the Program;
5. Due to not respecting the provisions of the Agreement by the protected person.

The Council makes a decision for cessation of the Program according to paragraph 1 lines 4 and 5 of this article, upon a proposal of the Department, the Public Prosecutor of Republic of Macedonia or the protected person, i.e. his/her legal representative.

VIII. INTERNATIONAL COOPERATION AND FINANCIAL MEANS

International cooperation

Article 40

The international cooperation in the field of protection of witnesses, collaborators of justice, victims which appear in capacity of witnesses, and their close persons is accomplished on the base of international agreements, ratified in accordance with the Constitution of Republic of Macedonia, or based on a mutual reciprocity.

Under conditions from paragraph 1 of this article, the Department:

- directs an application to other country for accepting the protected person and implementation of the measures for protection stipulated in this law and
- deals with the applications from other countries for accepting protected persons and application of measures for protection in Republic of Macedonia.

Financial Means

Article 41

Financial means for implementation of this law are provided from the Budget of Republic of Macedonia and by the international resources and programs designed for the witness protection needs.

The Minister of Interior will issue bylaws for the manner of usage of the financial means from paragraph 1 of this article.

IX. SENTENCE PROVISION – CRIMINAL ACT

Unauthorized release of information and data about the witnesses, collaborators of justice, victims that appear in a role of witnesses and their close persons

Article 42

The person who contrary to this law will reveal the real identity, the home, the residence of the persons from article 2 paragraph 1 lines 1, 2, 3 and 4 of this law, as well as other information that can lead to their identification that could jeopardize the life, health, freedom, physical integrity or the property of bigger amount to the persons from article 2 paragraph 1 lines 1, 2, 3 and 4 of this law

shall be punished with imprisonment sentence
of minimum four years.

If the act from paragraph 1 leads to causing serious body injuries to the persons from article 2 paragraph 1 lines 1, 2, 3 and 4 of this law

the perpetrator shall be punished with
imprisonment sentence of minimum eight years.

If the act from paragraph 1 leads to death or suicide of the persons from article 2 paragraph 1 lines 1, 2, 3 and 4 of this law

the perpetrator shall be punished with
imprisonment sentence of minimum 15 years
or with life imprisonment.

TRANSITIONAL AND FINAL PROVISIONS

Article 43

The Council for witness protection shall be established in time period of 30 days from the day of entering into force of this law.

Article 44

Within six months from the day of entering into force of this law, bylaws will determine the manner of conducting the record of data of the protected persons, the manner of keeping the original documents for the identity of the protected person, the manner for usage of the financial means for implementation of this law, the form and content of the questionnaire which fulfills the person who signs the Agreement, form and content of the proposal for involvement in the Program and the request for involvement in the Program.

The regulations from paragraph 1 of this article are classified information with appropriate degree of confidentiality in accordance with the law.

Article 45

Council within 30 days from the day of its establishment will bring Rules for work that is classified information with appropriate degree of confidentiality in accordance with the law.

Article 46

This law enters into force the eighth day from the day of publishing in the “Official Gazette of the Republic of Macedonia”, and will be implemented from January 01, 2006.