

Official Gazette of the Republic of Macedonia No. 48/ 19 July 2004

Pursuant to Article 71 of the Law on Asylum and Temporary Protection (“Official Gazette of RM No. 49/2003), the Minister of Internal Affairs issued the:

**REGULATIONS
ON THE FORM OF THE APPLICATION FOR RECOGNITION OF THE RIGHT
TO ASYLUM, THE MANNER OF FINGERPRINTING AND PHOTOGRAPHING
ASYLUM SEEKERS, THE FORM AND PROCEDURE FOR ISSUING AND
REPLACEMENT OF DOCUMENTS FOR ASYLUM SEEKERS AND FOR
PERSONS WITH RECOGNISED RIGHT TO ASYLUM OR TO TEMPORARY
PROTECTION IN THE REPUBLIC OF MACEDONIA AND ON THE MANNER
OF KEEPING RECORDS**

I. GENERAL PROVISION

Article 1

These regulations provide for the form of the application for recognition of the right to asylum, the manner of fingerprinting and photographing the asylum seekers, the form and procedure for issuing and replacement of documents for asylum seekers and persons with recognised right to asylum or to temporary protection in the Republic of Macedonia and the manner of keeping records.

II. APPLICATION FOR RECOGNITION OF THE RIGHT TO ASYLUM

Article 2

The application for recognition of the right to asylum in the Republic of Macedonia shall be submitted in writing, in the form of an Application for Recognition of the Right to Asylum, or orally upon minutes.

1. Form of the Application for Recognition of the Right to Asylum

Article 3

The Application for Recognition of the Right to Asylum shall be submitted in the Macedonian language and the Cyrillic alphabet, and if this is not possible, in the language of the country of origin or in the English language and its Latin alphabet.

The Form of the Application for Recognition of the Right to Asylum contains entries for inscription of data relating to the: surname and name of the applicant, maiden name, father's name and name of the mother, space for a photograph, date, place and country of birth, sex, citizenship, ethnicity and religion, marital status, surname and name of the spouse, identity documents, mother tongue and other languages spoken, education

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completed and employment, address of the country of origin and outside of it in the last 10 years, current address of the place of residence in the Republic of Macedonia, relatives in the Republic of Macedonia, military service, political activities, family members accompanying the asylum seeker, members of nuclear family who live in the country of origin or abroad, whether the person has ever submitted an application for recognition of the right to asylum, the manner of arrival in the Republic of Macedonia, the residence status prior to the submission of the application, the reasons owing to which the person is seeking the right to asylum, signature of the asylum seeker or his legal guardian or proxy, date of submission of the application for recognition of the right to asylum, as well as instructions on how to fill it in.

The Form of the Application for Recognition of the Right to Asylum shall be printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet (Form No. 1).

2. Minutes of the Interview Conducted in Relation to the Submitted Application for Recognition of the Right to Asylum

Article 4

Following the submission of the Application for Recognition of the Right to Asylum, the authorized official at the Section for Asylum shall conduct an interview with the applicant who has submitted the Application for Recognition of the Right to Asylum and shall draft the Minutes of the interview which was conducted.

In the Minutes of paragraph 1 of this Article, the following shall be inserted: date and information about the premises where the interview was conducted.

Once the information has been produced and the indications have been given by the authorised official, the asylum seeker shall present and explain the reasons owing to which he has submitted an Application for Recognition of the Right to Asylum.

The Minutes of paragraph 1 of this Article shall be signed by: the asylum seeker, the authorised official who conducted the interview, the legal guardian or proxy of the asylum-seeker, the court authorized translator, the minute-taker and the other persons present (Form No.2).

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3. Form of the Minutes of Receipt of the Oral Application for Recognition of the Right to Asylum

Article 5

The Form of the Minutes of Receipt of the Oral Application for Recognition of the Right to Asylum contains entries for inscription of the data relating to the: name and surname, date of birth and sex of the asylum seeker, country and place of birth, citizenship, the country from which he arrived in the Republic of Macedonia and the date of entry into the Republic of Macedonia, documents and other objects which the person has handed over himself and documents and other objects which were found with the person during the search, as well as an entry for the signature of the competent official, space for the seal and entry for the signature of the applicant. (Form No. 3)

4. Form of the Application for Recognition of the Right to Asylum on Grounds of Family Reunification

Article 6

The Application for Recognition of the Right to Asylum on Grounds of Family Reunification shall be submitted in the Macedonian language and the Cyrillic alphabet, and if this is not possible, in the language of the country of origin or in the English language and its Latin alphabet.

The Form of the Application for Recognition of the Right to Asylum on Grounds of Family Reunification contains entries for inscription of data relating to the: surname and name of the applicant, maiden name, father's name and name of the mother, space for a photograph, date, place and country of birth, sex, citizenship, ethnicity and religion, marital status, date and place of stipulation of the marriage, identity documents, other documents, education completed and employment, address in the country of origin and outside of it in the last 10 years, current address of the place of residence and the residence status, the family member with whom the family reunification is requested, other family members, other data (whether an application for recognition of the right to asylum has ever been submitted, on the manner of arrival in the Republic of Macedonia, and on the residence status prior to the submission of the application), the reasons owing to which the person is seeking the right to asylum on grounds of family reunification, signature of the asylum seeker or his legal guardian or proxy, date of the submission of the Application for Recognition of the Right to Asylum on Grounds of Family Reunification, as well as instructions on how to fill it in.

The Form of the Application for Recognition of the Right to Asylum on Grounds of Family Reunification shall be printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet (Form No. 4).

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Article 7

The Application for Recognition of the Right to Asylum on Grounds of Family Reunification at the Diplomatic - consular mission of the Republic of Macedonia Abroad shall be submitted in the Macedonian language and in the Cyrillic alphabet, and if this is not possible, in the language of the country of origin or in the English language and its Latin alphabet.

The Form of the Application for Recognition of the Right to Asylum on Grounds of Family Reunification at the Diplomatic-consular Mission of the Republic of Macedonia Abroad contains the same data as the Form of Article 6 paragraph 2 of this Law.

The Form of the Application for Recognition of the Right to Asylum on Grounds of Family Reunification at the Diplomatic-consular Mission of the Republic of Macedonia Abroad shall be printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet. (Form No.5)

III. MANNER OF FINGERPRINTING AND PHOTOGRAPHING THE ASYLUM SEEKERS

Article 8

Following the submission of the application for recognition of the right to asylum, the asylum seeker, upon request of the Section for Asylum shall be fingerprinted and photographed at the Department of Criminal Police.

Article 9

The front page of the Fingerprinting Form contains entries for inscription of data relating to the: registration number, family name and forename, maiden name, address, sex, date of birth, space for a photograph with the size of 30 x 25mm, the imprints of the thumb, of the index finger, of the middle finger, of the ring finger and of the little finger of the right and of the left hand are taken, imprints of the controllers of the left and right hand and of the thumbs of the left and right hand are taken, date and space for a seal and for dactyloscopy.

On the back side of the Form, imprints of the palms of the left and of the right hand are taken.

The Fingerprinting Form is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet (Form No. 6).

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Article 10

The asylum seeker is photographed full-faced, without a hat, or respectively without a headscarf.

The asylum seeker who is photographed is positioned in an upright, standing or sitting position at an agreed distance from the lens, whereby the two horizontal lines of the face and of the floor are compared.

The photograph of the asylum seeker may be taken in colour or in black and white technique.

IV. FORM AND PROCEDURE FOR ISSUING AND REPLACEMENT OF DOCUMENTS FOR ASYLUM SEEKERS AND PERSONS WITH RECOGNISED RIGHT TO ASYLUM OR TO TEMPORARY PROTECTION IN THE REPUBLIC OF MACEDONIA

1. Form of the Identification Document for Asylum Seeker

Article 11

The Form of the Identification Document for Asylum Seeker has the size of 65x90 mm, with covers in blue colour and it contains six pages inside.

On the front page of the cover, in the upper middle part the text “Republic of Macedonia” is printed, and underneath it there is the national coat of arms of the Republic of Macedonia, while in the lower middle part the text “Identification Document for Asylum Seeker” is printed.

On the first inner page in the upper middle part, the text “Ministry of Internal Affairs” is printed, underneath it the text “According to the Law on Asylum and Temporary Protection” (Official Gazette of R.M. No. 49/2003) is printed, and it contains entries for inscription of data relating to the: name, surname and date of birth of the applicant who has submitted the application for recognition of the right to asylum, the number of the submitted application and the date of its submission.

The second inner page contains entries for inscription of the data relating to the: manner of confirmation of his identity, space for a photograph with the size of 30x25 mm, space for a seal, registration number, place and municipality and address in the Republic of Macedonia.

The third inner page contains entries for inscription of the data relating to the: persons accompanying the holder of the identification document (name, date of birth and

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relationship), date of issue and validity of the identification document, signature of the authority issuing the document and space for a seal.

The fourth inner page contains entries for inscription of the data relating to the extension of validity of the document.

The fifth inner page contains entries for inscription of the data relating to the change of address.

The sixth inner page contains a remark relating to the obligations of the holder of the Identification Document for Asylum Seeker.

The Form of the Identification Document for Asylum Seeker is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet (Form No. 7).

2. Form and Procedure for Issuing and Replacement of the Identity Card for Recognised Refugee and for Person Under Humanitarian Protection

Article 12

The Application for Issuing Identity Card for Recognised Refugee and Person under Humanitarian Protection shall be submitted in writing, within 30 days from the day of receipt of the authorization for approved residence, or respectively from the day of reaching 18 years of age.

The Application for Issuing Identity Card for Recognised Refugee and Person under Humanitarian Protection shall be submitted in the Macedonian language and the Cyrillic alphabet, and if this is not possible, in the language of the country of origin or in the English language and its Latin alphabet.

The Form of the Application for Issuing Identity Card for Recognised Refugee and Person under Humanitarian Protection contains entries for inscription of data relating to the: surname and name of the applicant, sex, day, month and year of birth, place and country of birth, citizenship, grounds on which he/she resides in the Republic of Macedonia, profession, the last place of living in the country of origin (street and number), current place of residence in the Republic of Macedonia (street and number), marital status, number of children and year of birth of each child, type of education, place and date of submission of the application, documents submitted as enclosures, signature of the applicant and it also contains space for a photograph with the size of 30x25mm.

The Form of the Application for Issuing Identity Card for Recognised Refugee and Person under Humanitarian Protection is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet. (Form No. 8)

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Article 13

The Form of the Identity Card for Recognised Refugee has the size of 65x90 mm, with covers in grey colour, and it contains six pages inside.

On the front page of the cover, in the upper middle part the text “Republic of Macedonia” is printed, underneath it there is the national coat of arms of the Republic of Macedonia, while in the lower middle part the text “Identity Card for Recognised Refugee “ is printed.

On the first inner page, in the upper middle part the text “Ministry of Internal Affairs” is printed, and underneath it the text “According to the Law on Asylum and Temporary Protection (Official Gazette of RM No. 49/2003)” is printed and it also contains entries for inscription of data relating to the: name, surname and date of birth of the recognised refugee, the number of the decision for recognition of the status of recognized refugee and the date it has been reached.

The second inner page contains space for a photograph with the size of 30x25 mm, space for a seal, as well as entries for inscription of data relating to the: unique registry number for foreigner, place and municipality and address, registration number, date of issue and period of validity of the Identity Card for Recognised Refugee and the signature of the authority issuing the document.

The third inner page contains entries for inscription of the data relating to the validity of the Identity Card.

The fourth and fifth inner page contain entries for inscription of the data concerning the change of address.

The sixth inner page contains a remark relating to the obligations of the holder of the Identity Card for Recognised Refugee.

The Form of the Identity Card for Recognised Refugee is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet. (Form No. 9).

Article 14

The Form of the Identity Card for Person under Humanitarian Protection has the size of 65x90 mm, with covers in brown colour and it contains six pages inside.

The Form of the Identity Card for Person under Humanitarian Protection contains entries for inscription of the data of the form of Article 13 paragraphs 2, 3, 4, 5, 6 and 7, with the

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exception of the datum concerning the number of the decision for recognition of the status of recognized refugee inserted on the first inner page of the form, which is replaced with the datum concerning the number of the decision for recognition of the status of a person under humanitarian protection.

The Form of the Identity Card for Person under Humanitarian Protection is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet (Form No. 10).

Article 15

The application for replacement of the Identity Card for Recognised Refugee or Person under Humanitarian Protection shall be submitted at the Ministry of Internal Affairs according to the place of residence of the person – applicant who has submitted the application.

Article 16

The replaced, seized and returned identity cards for recognised refugee or person under humanitarian protection shall be destroyed under the supervision of a commission, and minutes shall be drafted about it.

3. Form and Procedure for Issuing Travel Document for Recognised Refugees

Article 17

Upon request of a recognised refugee who has reached 18 years of age a travel document shall be issued on the basis of the submitted written application.

For a person under 18 years of age, the Application for Issuing Travel Document for Recognised Refugee shall be submitted by his legal guardian.

The Application for Issuing Travel Document for Recognised Refugee shall be submitted in the Macedonian language and the Cyrillic alphabet, and if this is not possible, in the language of the country of origin or in the English language and its Latin alphabet.

The Form of the Application for Issuing Travel Document for Recognised Refugee contains entries for inscription of the data of the Form of Article 12 paragraph 3 of this law.

The Form of the Application for Issuing Travel Document for Recognised Refugee is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet. (Form No. 11).

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Article 18

The Form of the Travel document for Recognised Refugee has the size of 88x125mm, with hard covers in gray colour and it contains 32 enumerated pages.

On the front page of the cover, in the upper middle part the text “Republic of Macedonia” is printed, in the lower middle part the text “Travel Document” is printed and underneath it the text “Convention of 28 July 1951” is printed.

On the first inner page, in the upper middle part the text “Travel Document” and underneath it the text “Convention of 28 July 1951” is printed, and it also contains entries for inscription of data relating to the: number and validity of the document, name and surname, number of children accompanying the recognised refugee, the period during which the holder is authorized to return to the Republic of Macedonia and the instructions for proceeding in case the holder takes up residence in a country other than that which issued the present document.

The second inner page contains entries for inscription of data relating to the: place and date of birth, occupation, present residence, maiden name and forename of wife, name and surname of husband and data relating to the children accompanying the holder.

The third inner page contains space for a photograph with the size of 35x40 mm and entry for the signature of the holder.

The fourth inner page contains entries for inscription of data relating to the: countries which this document is valid for, the document or documents on the basis of which the present document is issued, place and date of issuance, fee paid, signature and stamp of the authority issuing the document.

The fifth and sixth page contain entries for inscription of data relating to the: extension or renewal of validity, fee paid, place and date, signature and stamp of the competent authority extending or renewing the validity of the document.

On the other pages, there is space for visas and a remark that the name and surname of the holder of the document must be repeated in each visa.

The Form of the Travel Document for Recognised Refugee is printed in the Macedonian language and its Cyrillic alphabet and in the English language and its Latin alphabet. (Form No. 12).

4. Form of the Identification Document for Person under Temporary Protection

Article 19

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The Form of the Identification Document for Person under Temporary Protection has the size of 11, 5 x 7, 5 mm and it is made of white cardboard.

On the front page of the Form, in the upper middle part the text “Republic of Macedonia” is printed, and underneath it the text “Ministry of Internal Affairs” is printed and it also contains entries for inscription of the organisational unit issuing the document, while in the right part there is the emblem of the Republic of Macedonia in the form of a shield in the centre of which the sign “RM” is inscribed.

In the middle part of the front page of the Form, the text “Identification Document for Person under Temporary Protection” is printed, and underneath it there are entries for inscription of data relating to the: registration number and validity of the document, name and surname, date and place of birth, citizenship and sex, date of issuance and space for the seal and signature of the authority issuing the document.

In the lower left part of the front page of the Form there is space for a photograph with the size of 3 x 3, 5 mm.

On the back page of the form, in the upper middle part the text “persons accompanying the holder of this document” is printed and underneath it there are entries for inscription of data relating to the: name and surname, date of birth and relationship, while underneath this the text “Remark: the holder of this document has the duty to carry it with him. It is forbidden to give the document for use to another person” is printed.

The Form of the Identification Document for Person under Temporary Protection shall be printed in the Macedonian language and its Cyrillic alphabet (Form No. 13).

IV. MANNER OF KEEPING RECORDS

Article 20

The data relating to the applications for recognition of the right to asylum and for persons to whom the right to asylum and to temporary protection in the Republic of Macedonia has been recognized are contained in the Central Database at the Section for Asylum within the Ministry of Internal Affairs, which encompasses the following data:

- identification data (personal name, maiden name, pseudonym, citizenship, in case of a stateless person the state where the person had habitual place of residence, sex, date and place of birth, name of parents), fingerprints and a photograph.;
- property status, profession/occupation, education;
- place of residence and address;

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- data relating to race, religion or nationality and political opinion or membership of a particular social group, if the person indicated these data as reasons for submission of the Application for Recognition of the Right to Asylum;
- number and date of the decision for recognition of the status of recognised refugee, humanitarian protection or rejection of the application for recognition of the right to asylum;
- data relating to the issued identification and travel documents and to the identity cards;
- personal data relating to the family members who arrived together with him and their residence in the Republic of Macedonia; and
- other data.

Article 21

The forms number 1 to 13 enclosed to these Regulations are an integral part of these Regulations.

VI. TRANSITIONAL AND FINAL PROVISIONS

Article 22

With the day of entry into force of these Regulations the following cease to apply: Articles 1 item 1, 2 paragraph 1, 3 paragraph 1, 6 paragraph 1, 7 paragraph 1, 10 item 1, 11 and 89 in the part relating to the recognition of the right to asylum and refugee status and travel document for refugees and Articles 6 paragraph 3 and 85 and Chapters V “Recognition of the Right to Asylum” and VI “ Recognition of Refugee Status” of the Regulations on the Manner of Issuing Travel and other Documents and Visas for Foreigners and on the Forms of these Documents and Visas (“Official Gazette of RM” No. 75/93) and Article 18 paragraph 1 item 1 and item 3 in the part relating to loss of travel document for refugee and Chapter V “Receipt of the Application for Recognition of the Right to Asylum” of the Instructions on the Manner of Issuing Travel Documents and Visas for Foreigners at the Diplomatic-Consular Missions of the Republic of Macedonia Abroad and the Manner of Keeping Records of the Issued Travel Documents and Visas for Foreigners” (“Official Gazette of RM” No. 10/98).

Article 23

These Regulations shall enter into force on the eighth day from the day of their publication in the “Official Gazette of the Republic of Macedonia”.

No. 161-35326/1

Minister of Internal Affairs

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24 June 2004
Skopje

Siljan Avramovski, under his own
hand