

Relevant Excerpts Concerning use of DNA in Criminal Proceeding from Macedonian

**LAW OF CRIMINAL PROCEDURE
Official Gazette no. 150 of 18.11.2010 year**

Article 246

Review and Identification of Unknown Body

- (1) Review and autopsy of the corpse will be taken when there is suspicion that death was caused by crime. If the corpse has been buried will be determined for his exhumation and autopsy examination.
- (2) At autopsy of the corpse, necessary measures will be taken to identity of the corpse, and for that purpose specifically describe data, including external and internal physical characteristics of the corpse.
- (3) Where it is necessary to apply identification and scientific methods: sampling and comparison of fingerprints of the corpse, analysis of DNA sample and comparing the resulting DNA profile DNA profile missing person or another person, blood relatives of the person being presumably could be identified, and if necessary taking other analysis and application of other professional and scientific methods in order to determine the identity of the corpse.
- (4) Review and autopsy of the corpse in a professional institution is carried out by at least two doctors, of which at least one shall be a specialist in forensic medicine.

Article 249

Collection of Biological Samples from Suspects

- (1) Physical review of the defendant or other persons shall be taken without consent if it is required to determine the facts relevant to criminal proceedings.
- (2) Sampling of blood and other medical activities, which according to the rules of medical science are taken for analysis, identification of individuals and determination of other facts relevant to criminal proceedings may be taken without the consent of the person being examined.
- (3) Copies for the application of DNA analysis may be taken when it is necessary for the identification of persons or for comparison with other biological traces and other DNA profiles, and it does not need approval from the individual in question.
- (4) Not allowed to the defendant or a witness to exercise medical interventions or to provide such means which would be affected their awareness and willingness, when giving testimony.

(5) Failure to implement these proceedings, the samples taken pursuant to this Article may be held to a lapse of criminal prosecution under the provisions of Criminal Code.

Article 277

Fingerprinting, DNA sample for analysis and registration

(1) Where it is necessary to determine the identity of persons and objects or in other cases of interest to the successful conduct of the proceedings, Judicial Police may register a suspect, take a fingerprint, papillary lines of the fingers and hands, take a biological material for DNA analysis, and upon prior approval of the Attorney General, publish his photography.

Judicial Police may take the suspect and samples for DNA analysis pursuant to Article 249 paragraph (3) of this Law.

(2) If it is necessary to determine from whom the traces left on certain cases descended, the police may take a fingerprint, papillary lines fingers and palms, as well as biological material for DNA analysis from persons likely could not come into contact with these items.