

# ESTABLISHMENT OF MULTI-PROFESSIONAL PREVENTION OF GENDER-BASED VIOLENCE, VICTIM-SAFETY ORIENTED WORK WITH PERPETRATORS AND MEN'S COUNSELLING IN NORTH MACEDONIA

## STATUS QUO REPORT ON GENDER-BASED VIOLENCE, LEGAL FRAMEWORK AND INSTITUTIONAL RESPONSE AND NEEDS AND RESOURCES ANALYSIS ON VICTIM-SAFETY ORIENTED WORK WITH PERPETRATORS AND MEN'S COUNSELLING (Final Draft)

## ABBREVIATIONS

EU- European Union

UNDP- United Nations Development Programme

UN- United Nations Organisation

ECHR- European Court of Human Rights

MLSP- Ministry of Labour and Social Policy

MIA – Ministry of Internal Affairs

LPPVAWDV- Law on prevention and protection of violence against women and domestic violence

SOP- Standard Operative Procedures

CSW- Centre for Social Work

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## INTRODUCTION

*As part of the project "Establishment of multi-professional prevention of gender-based violence, victim-safety oriented work with perpetrators and men's counselling in North Macedonia<sup>1</sup>", we developed a comprehensive analysis of the situation and need for men's counselling centres in North Macedonia, with a focus on gender-based violence. This document incorporates the key findings from the analysis and the online research study conducted to facilitate the development of the concept and national plans for the establishment of effective primary prevention against gender-based violence, multi-professional support and work with perpetrators through victim-safety oriented approach, and the establishment of centres for comprehensive support and counselling of men for the prevention of gender-based violence, encouraging gender equality and inclusion of men in care (parenting, partnership, etc.) in North Macedonia. The first chapters focus on the current situation with gender-based violence in the country and existing relevant definitions and legal framework, while exploring existing secondary data on prevalence and gender-based violence and violence against women, domestic violence, and intimate partner violence, available administrative data from relevant institutions, and reports from research and civil society organizations, as well as primary and secondary violence prevention, with a specific focus on working with men. The last chapter includes primary research findings and explores the needs and resources from the point of view of relevant stakeholders.*

## BRIEF OVERVIEW OF THE RESEARCH APPROACH

For the purpose of exploring the status quo with gender-based violence and victim-safety-oriented work with perpetrators, both secondary and primary data collection methods were utilized as relevant for all the thematic chapters of the report. The overall information was iteratively updated after the completion of different data collection phases that took place between October 2021 and May 2022.

The research approach centred around the following milestones:

- ✓ Desk review of existing literature and analyses of secondary data
- ✓ Administrative data collection through Freedom of Information Requests sent to relevant national institutions and service providers
- ✓ Qualitative discussions and interviews to inform the design of the online survey instrument and the structure of reporting
- ✓ Design of online survey instruments, sample structure and online mapping survey with stakeholders

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1 THE PROJECT "ESTABLISHMENT OF MULTI-PROFESSIONAL PREVENTION OF GENDER-BASED VIOLENCE, VICTIM-SAFETY ORIENTED WORK WITH PERPETRATORS AND MEN'S COUNSELLING IN NORTH MACEDONIA " (2021-2022) IS A SHORT-TERM PROJECT FINANCED BY THE FEDERAL MINISTRY OF AUSTRIA FOR SOCIAL AFFAIRS, HEALTH, CARE, AND CONSUMER PROTECTION, COMMISSIONED BY THE PARTNER ORGANISATION VEREIN FÜR MÄNNER-UND GESCHLECHTERTHEMEN STEIERMARK (VMG)/INSTITUT FÜR MÄNNER- UND GESCHLECHTERFORSCHUNG, AUSTRIA, AND IMPLEMENTED BY REACTOR – RESEARCH IN ACTION AND HERA FROM NORTH MACEDONIA.

Alongside the secondary data review, Freedom of Information Requests were sent to the Ministry of Internal Affairs, Ministry of Labor and Social Policy, women's shelters, and courts and public prosecutors, to gather publicly accessible and available administrative data on gender-based violence and institutional response. Official responses received from institutions were recorded and analyzed based on their thematic relevance.<sup>2</sup>

Additionally, an online survey instrument was developed based on the insights from the expert consultations and discussions with representatives of relevant institutions, civil society organizations and other professionals (psychotherapists etc.). The sample of stakeholders for the online survey was designed based on a sampling frame compiled after the key expert interviews. Lime Survey was used as a platform to launch the survey and Reactor's server was used for gathering the data, in accordance with GDPR and related data privacy legislation in the country. Primary data was collected with closed-ended survey questions, which were analysed using the SPSS statistical software. The statistical analysis provides descriptions of the observed distributions of answers, which are further clarified by a qualitative analysis. The online survey results and the qualitative explorations focused on the mapping and systematization of needs in establishment of multi-professional prevention of gender-based violence, victim-safety oriented perpetrator work and men's counselling in North Macedonia

Parallel to the data collection processes, legal experts assessed the current legal framework and institutional response for prevention and sanctioning of gender-based violence, with focus on men. Apart from the analysis of the national legal framework, ratified international instruments and standards were also taken into consideration and, within the context of the overall institutional response in terms of prevention and sanctioning of gender-based violence, the availability of supportive mechanisms for survivors of gender-based violence and resocialization of perpetrators was also explored.

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<sup>2</sup> Legally, national institutions have 20 days to respond to a Freedom of Information Requests, but some requests took much longer than foreseen and while collection of administrative data usually takes longer than needed, this process turned even more challenging due to the nature of information requested. The whole process was initiated in December 2021 and it ended around March and April 2022.

## Chapter 1

# GENDER-BASED VIOLENCE

## PREVALENCE AND REPORTING

Gender-based violence continues to be one of the most notable human rights violations within all societies. Gender-based violence is violence directed against a person because of their gender and while both women and men experience gender-based violence the majority of victims are women and girls. Therefore, gender-based violence and violence against women are terms that are often used interchangeably as it has been widely acknowledged that most gender-based violence is inflicted on women and girls, by men<sup>3</sup>. However, using the 'gender-based' aspect is important as it highlights the fact that many forms of violence against women are rooted in power inequalities between women and men. Gender-based violence is a manifestation of the historically unequal distribution of power between women and men, leading to more frequent discrimination against women and preventing women from making better progress in all the fields of their lives.

Gender based violence and violence against women are a serious violation of human rights and the greatest obstacle to achieving gender equality.<sup>4</sup> According to WHO estimates, around one-third (30%) of women globally have experienced physical and/or sexual intimate relationship violence or non-partner sexual violence at some point in their life.<sup>5</sup> Violence against women is most often committed by current or previous intimate partners, and according to UN estimates on average, a woman or girl is killed by someone in her own family every 11 minutes.<sup>6</sup> The experience of violence starts early and almost one in every four adolescent girls aged 15–19 (24%) who have been in a relationship had experienced physical and/or sexual assault from an intimate partner.

3 VIOLENCE AGAINST WOMEN: AN EU-WIDE SURVEY. MAIN RESULTS REPORT, 2014; AVAILABLE AT: [HTTPS://FRA.EUROPA.EU/EN/PUBLICATION/2014/VIOLENCE-AGAINST-WOMEN-EU-WIDE-SURVEY-MAIN-RESULTS-REPORT](https://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report)

4 UNITED NATIONS DECLARATION ON VIOLENCE AGAINST WOMEN, 1993.

5 WORLD HEALTH ORGANIZATION, ON BEHALF OF THE UNITED NATIONS INTER-AGENCY WORKING GROUP ON VIOLENCE AGAINST WOMEN ESTIMATION AND DATA (2021). VIOLENCE AGAINST WOMEN PREVALENCE ESTIMATES, 2018. GLOBAL, REGIONAL AND NATIONAL PREVALENCE ESTIMATES FOR INTIMATE PARTNER VIOLENCE AGAINST WOMEN AND GLOBAL AND REGIONAL PREVALENCE ESTIMATES FOR NON-PARTNER SEXUAL VIOLENCE AGAINST WOMEN.

6 UNITED NATIONS OFFICE ON DRUGS AND CRIME (2021). KILLINGS OF WOMEN AND GIRLS BY THEIR INTIMATE PARTNER OR OTHER FAMILY MEMBERS GLOBAL ESTIMATES 2020.

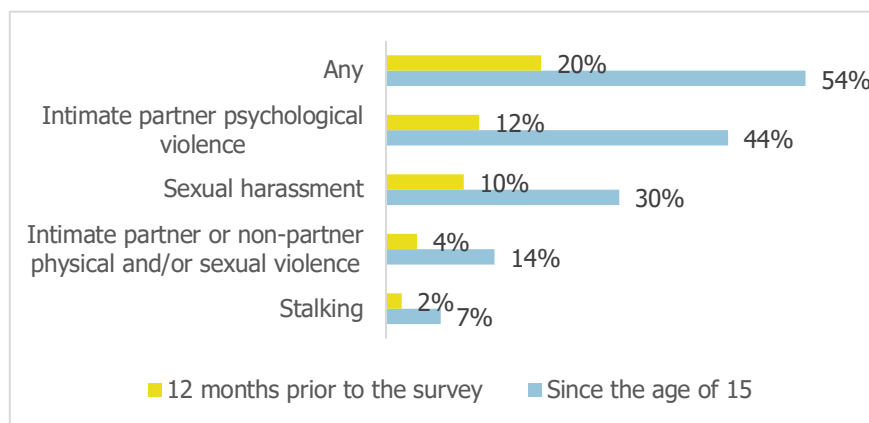


FIGURE 1. PREVALENCE OF VIOLENCE AGAINST WOMEN IN NORTH MACEDONIA<sup>7</sup>

According to the OSCE led and EU funded survey "Safety and Wellbeing of Women"<sup>8</sup>, based on a nationally representative sample, more than half or **54% of the women in North Macedonia had experienced some form of violence in their lifetime**. Nearly one in three was sexually harassed (30%), 14% experienced physical and/or sexual violence and one in ten had experienced stalking (7%). The most commonly experienced is the psychological violence by intimate partner with 44% of women suffering this type of violence.

The prevalence of violence disclosed in the survey is comparably lower than across EU but this could be attributed to attitudes that normalize violence<sup>9</sup>. For example, almost half (48%) of the women in North Macedonia agree that violence is a private matter to be handled within the family and this rate is three times higher compared to EU. Furthermore, nearly one third (30%) of the women agree that women who say they were abused often make up or exaggerate claims of abuse or rape. Yet more than **half of the women in the country (60%) think violence against women is a common phenomenon, and almost three in ten women think it happens frequently**<sup>10</sup>.

The experienced violence has severe physical and psychological impact on women. The most common emotional responses are fear, anger, annoyance and embarrassment, while long term psychological consequences include feelings of vulnerability, trouble sleeping and depression.<sup>11</sup>

In terms of risk factors, women who experienced violence in their childhood are much more likely to have experienced violence as an adult according to the survey data. Furthermore, experiences

7 DATA FROM THE OSCE-LED SURVEY "SAFETY AND WELLBEING OF WOMEN" CONDUCTED IN 2018 AND PUBLISHED IN 2019. BASED ON FRA SURVEY METHODOLOGY, CONDUCTED IN EU IN 2014, THE SURVEY WAS CONDUCTED IN SOUTH-EASTERN EUROPE OR EASTERN EUROPE TO PROVIDE COMPARABLE DATA ACROSS THE REGION. THIS IS THE FIRST AND ONLY NATIONALLY REPRESENTATIVE SURVEY FOR GBV IN NM. IT COVERS ALL FORMS OF VIOLENCE THROUGH DIFFERENT MODULES (INCLUDING CONFLICT-RELATED EXPERIENCES) AND EXPLORES THE EXPERIENCES OF VIOLENCE AMONG A STATE-WIDE REPRESENTATIVE SAMPLE OF 1910 WOMEN AGED 18–74, INCLUDING 496 WOMEN OF ALBANIAN ETHNICITY. IT WAS BASED ON A MULTISTAGE, STRATIFIED, RANDOM PROBABILITY SAMPLE DESIGN. FULL REPORT HERE: [https://www.osce.org/files/f/documents/3/5/419264\\_1.pdf](https://www.osce.org/files/f/documents/3/5/419264_1.pdf)

8 IBID.

9 DISCLOSURE OF EXPERIENCED VIOLENCE IS HIGHER IN COUNTRIES LONGER STANDING TRADITION OF GENDER EQUALITY POLICY. ACCORDING TO THE EU AGENCY FOR FUNDAMENTAL RIGHTS (FRA) SURVEY CONDUCTED ACROSS THE EU, THE THREE NATIONS WHERE WOMEN WERE MOST LIKELY TO REPORT HAVING EXPERIENCED PHYSICAL AND/OR SEXUAL VIOLENCE AT THE HANDS OF A PARTNER OR A NON-PARTNER SINCE THE AGE OF 15 WERE DENMARK (52%), FINLAND (47%), AND SWEDEN (47%).

10 ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE. WELLBEING AND SAFETY OF WOMEN: OSCE SURVEY ON VIOLENCE AGAINST WOMEN IN NORTH MACEDONIA, 2019.

11 ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE. WELLBEING AND SAFETY OF WOMEN: OSCE SURVEY ON VIOLENCE AGAINST WOMEN IN NORTH MACEDONIA, 2019.

of physical and sexual violence by intimate partners were more prevalent among women who were economically dependent and live in socioeconomically deprived households (17% of those finding it very difficult to cope on their income versus 9% on average). On the other hand, sexual harassment was more often disclosed by younger women, those living in urban areas and those with higher education, however the higher prevalence among these categories of women could also suggest a lower tolerance towards sexual harassment among them.

When considering the characteristics of the perpetrators<sup>12</sup>, women whose partners drank alcohol on a weekly or daily basis were more likely to have experienced intimate partner violence. Additional risk factors related to perpetrators include unemployment and experience in armed conflict. Furthermore, women were more inclined to disclose violence suffered at the hands of previous partner than a current one, but shame and fear of repercussion by the current partner might contribute to this discrepancy<sup>13</sup>.

In terms of reporting the violence to the competent institutions, women who had experienced non-partner or former partner violence were more likely to report their most serious incident to the police or other institution compared to those who had been subjected to violence at the hands of their current partner. However, it needs to be noted that majority of victims do not report violence. **Nearly nine in ten women who have suffered physical and/or sexual violence from their current partner did not report it to any competent institution or service provider organization and only 2% reported what they considered to be the most serious incident of violence to the police.** Among those who suffered physical and/or sexual violence from the current partner one in five reported it to the police, while the reporting rate is one in four for non-partner physical and/or sexual violence. In addition to the prevalent social norms that normalize violence and stigmatize victims, according to the OSCE-led survey, majority of women do not know what to do if they are victims of violence and are unaware of local specialized services that can help them.

## GENDER INEQUALITY AND GENDER-BASED VIOLENCE

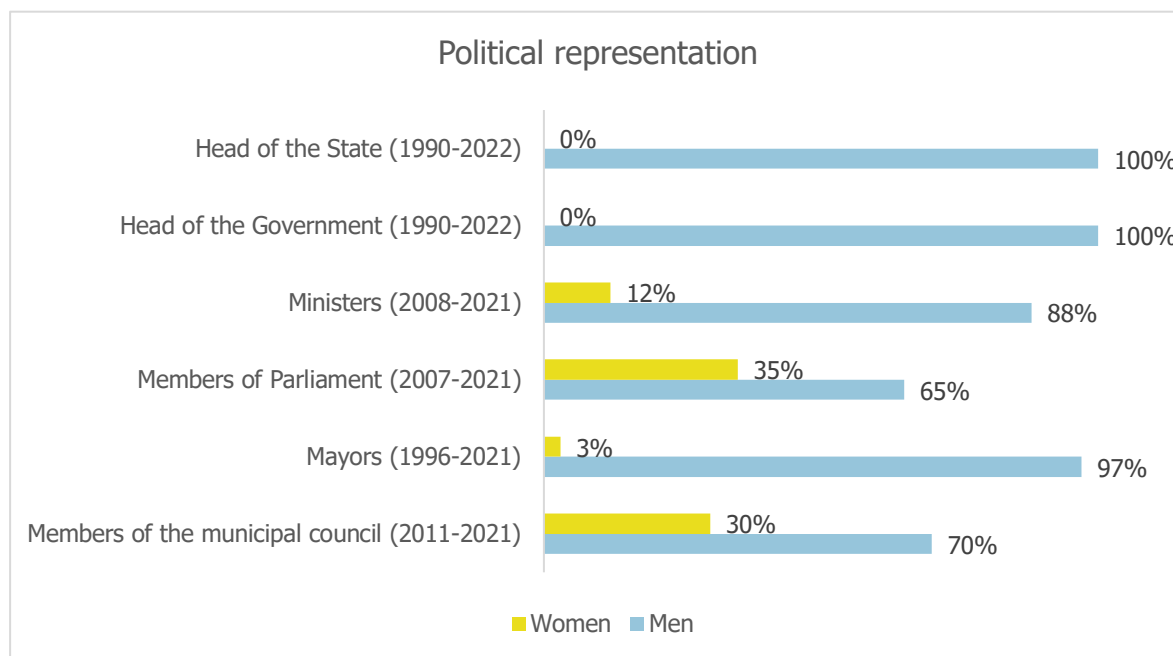
Gender-based violence does not happen in a vacuum. The socio-economic inequalities create and sustain the power asymmetry that emanates from traditional gender roles, perpetuating gender-based violence.

North Macedonia faces persistent and deep-rooted gender gaps in all spheres of public and private life. In decision making, women have been underrepresented both in national and local level governments.

<sup>12</sup> ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE. WELLBEING AND SAFETY OF WOMEN: OSCE SURVEY ON VIOLENCE AGAINST WOMEN: MAIN REPORT, 2019; AVAILABLE AT: [https://www.osce.org/files/f/documents/9/2/413237\\_0.pdf](https://www.osce.org/files/f/documents/9/2/413237_0.pdf)

<sup>13</sup> THIS ASSUMPTION WAS NOT EXPLORED IN THE QUOTED SURVEY DUE TO THE SMALLER SUB SAMPLES AND ESTIMATED LOW PREVALENCE OF REPORTING OF GENDER BASED VIOLENCE.





**FIGURE 2. SHARE OF WOMEN AND MEN IN POLITICAL DECISION-MAKING POSITIONS. SOURCE: THE EUROPEAN INSTITUTE FOR GENDER EQUALITY (EIGE), GENDER STATISTICS DATABASE**

Since the establishment of the Government of North Macedonia, no women have been elected as head of the state and only one woman has been appointed as a head of the Government, but only as an acting prime minister for a total of 50 days, in 2014. Cumulatively speaking, only 12% of all the appointed Ministers were women (data from 2008 to 2021, considering all changes and reconstructions). On local level, only 3% of all the elected Mayors were women (data from 1996 to 2022). Over the years, representation has been comparably better, but still far from equal in the national parliament and local councils, and improvements are only due to the legally imposed quotas for the Parliament.

Underrepresentation in the decision making positions is also evident in the economic sphere. Only 29% of the companies have women participating in ownership<sup>14</sup> and only 21% have women as top managers<sup>15</sup>. Intriguingly, these gaps in representation in decision making positions (both political and economic) cannot be explained by or correlated with educational advancement since, across the years, women exhibit a higher rate of tertiary education attainment.<sup>16</sup>

Gender inequalities are apparent in access to financial resources as well. Traditional beliefs that prescribe inheritance rights to the male offspring may impact the fact that women are significantly less likely to own land or real estate. According to the national Cadaster administrative records, only 27% of the landownership belongs to women. This disadvantage is especially detrimental to rural women having in mind that land is often the most important household asset for supporting

<sup>14</sup> WORLD BANK, ENTERPRISE SURVEYS, DATA FOR 2019. AVAILABLE AT: [HTTPS://DATA.WORLDBANK.ORG/INDICATOR/IC.FRM.FEMO.ZS?LOCATIONS=MK](https://data.worldbank.org/indicator/IC.FRM.FEMO.ZS?locations=MK)

<sup>15</sup> WORLD BANK, ENTERPRISE SURVEYS, DATA FOR 2019. AVAILABLE AT: [HTTPS://DATA.WORLDBANK.ORG/INDICATOR/IC.FRM.FEMM.ZS?LOCATIONS=MK](https://data.worldbank.org/indicator/IC.FRM.FEMM.ZS?locations=MK)

<sup>16</sup> EUROSTAT (DATA FROM 2006 TO 2020) EUROPEAN LABOUR FORCE SURVEY.

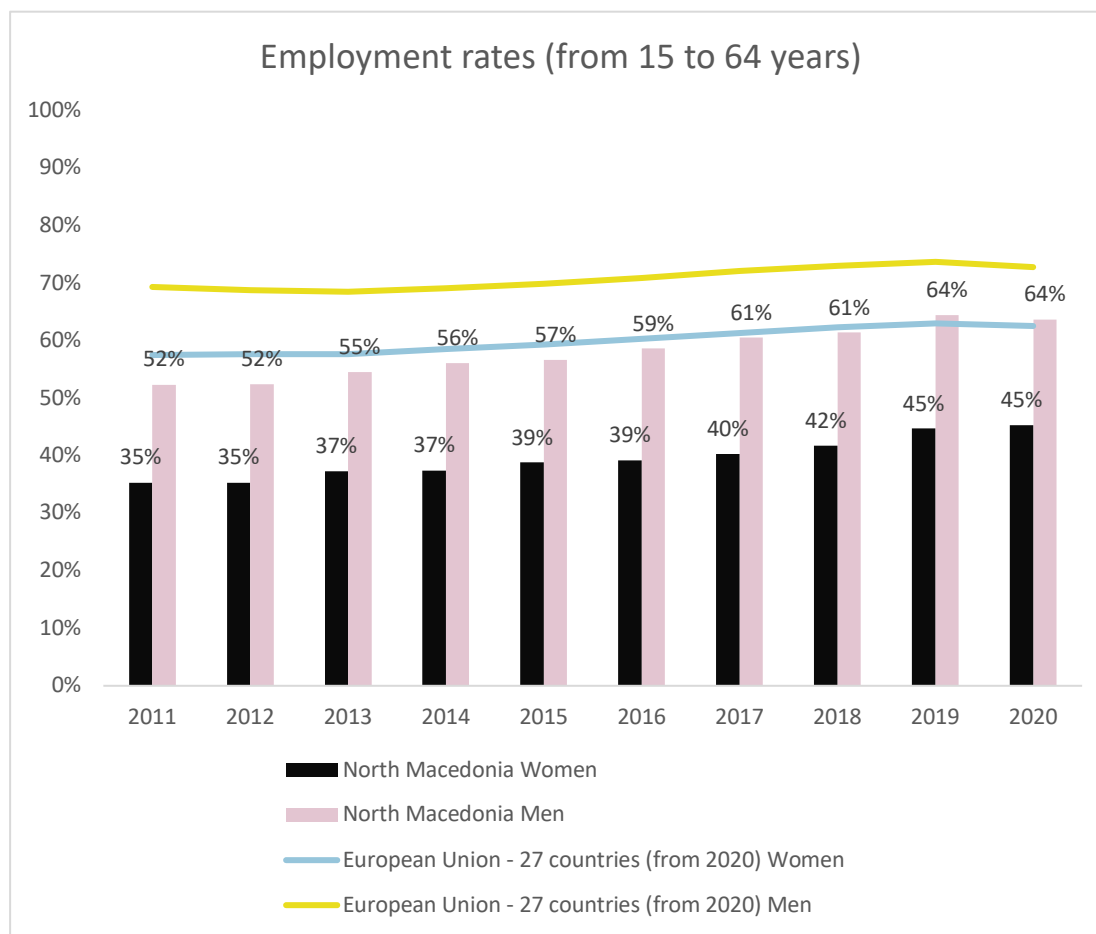
agricultural production and ensuring economic empowerment. Having no (secure) land tenure, rural women have less bargaining power in the household and can thus be more vulnerable to economic violence. This is further supported by the official statistics that point out that the majority of unpaid family workers are women.

Power asymmetries can be further observed in mobility prospects. To exercise their right to work, education, leisure or fulfil other needs, women are often dependent on the public transport or on other(s) (family members) who own a car. Only 18% of the private automobiles are owned by women, according to the administrative records from the Ministry of Internal Affairs. The inequalities in mobility opportunities are further aggravated by the fact that North Macedonia has underdeveloped public transport and this issue was particularly grim during the COVID-19 pandemic when restrictions were imposed. In the face of violence and conflict, this mobility dependence further depletes women of opportunities to act on emergency or leave the perpetrator. Moreover, public transport is not always the “safest option” for women and studies have shown that women are more likely to face gender-based violence and sexual harassment in public spaces.<sup>17</sup>

In terms of economic inequalities, gender gaps in paid labour are an important factor as well and they further illustrate gender disparities. According to the official statistics, 45.3% of working age women are employed, compared to 63.7% of men<sup>18</sup>. Although employment rates for both men and women have increased over time, the gender gap has persisted and remains nearly twice as large compared to the European Union average in 2020 (NM=18.4 p.p. vs. EU-27=10.3 p.p.).

<sup>17</sup> REACTOR-RESEARCH IN ACTION (2020). GENDER-BASED VIOLENCE IN PUBLIC SPACES IN SKOPJE. AVAILABLE AT: <https://reactor.org.mk/en/wp-content/uploads/sites/4/2020/11/REACTOR-SCOPING-STUDY-ANG-WEB.PDF>

<sup>18</sup> EUROSTAT (LAST UPDATE: 10-09-2021). EMPLOYMENT RATES BY SEX, AGE AND EDUCATIONAL ATTAINMENT LEVEL (%), SELECTED YEAR 2020, AGE COHORT 15 TO 64 YEARS. AVAILABLE AT: <https://appsso.eurostat.ec.europa.eu/nui/setupdownloads.do>.



**FIGURE 3. EMPLOYMENT RATES OF WOMEN AND MEN IN NORTH MACEDONIA AND EUROPEAN UNION (EU-27) FROM 2011 TO 2020. SOURCE: EUROSTAT, EUROPEAN LABOUR FORCE SURVEY.**

The disparity in employment rates between rural men and women has remained even greater (24 percentage points)<sup>19</sup>, implying multi-layered barriers for some women and potentially intersectional discrimination. The gender gap further increases among parents with small children - from 14.4 p.p. among those without children to 32.4 p.p. among those with children younger than six years old (data from 2020).<sup>20</sup>

Even more so, nearly half of the working age women are considered as economically inactive or out of the labour force, since they are not registered as active job seekers<sup>21</sup>. The primary reasons for inactivity for more than half of these women (59%) are responsibilities related to childcare or

<sup>19</sup> EUROSTAT (LAST UPDATE: 10-09-2021 23:00). EMPLOYMENT RATES BY SEX, AGE AND DEGREE OF URBANISATION (%). AVAILABLE AT:

[HTTPS://EC.EUROPA.EU/EUROSTAT/DATABROWSER/VIEW/LFST\\_R\\_ERGAU\\_CUSTOM\\_1301016/DEFAULT?TABLE?LANG=EN](https://ec.europa.eu/eurostat/databrowser/view/LFST_R_ERGAU_CUSTOM_1301016/DEFAULT?TABLE?LANG=EN)

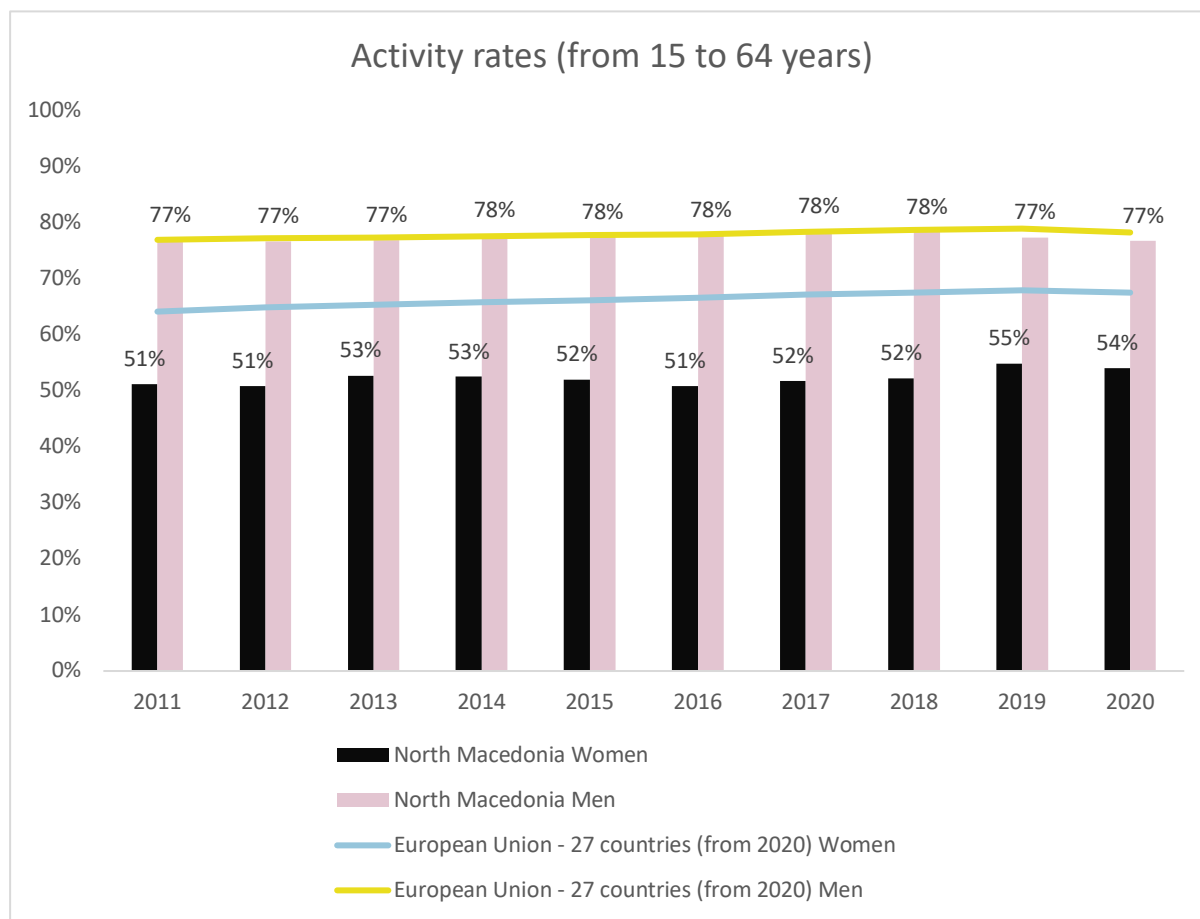
<sup>20</sup> EUROSTAT (LAST UPDATE: 02-06-2021). EMPLOYMENT RATE OF ADULTS BY SEX, AGE GROUPS, EDUCATIONAL ATTAINMENT

LEVEL, NUMBER OF CHILDREN AND AGE OF YOUNGEST CHILD (%). AVAILABLE AT: [HTTP://APPSO.EUROSTAT.EC.EUROPA.EU/NUI/SUBMITVIEWTABLEACTION.DO](http://appsso.eurostat.ec.europa.eu/nui/submitviewtableaction.do).

<sup>21</sup> EUROSTAT (LAST UPDATE: 10/09/2021 23:00). ACTIVITY RATES BY SEX, AGE AND CITIZENSHIP (%), SELECTED YEAR 2020, AGE COHORT

15 TO 64 YEARS. AVAILABLE AT: [HTTPS://EC.EUROPA.EU/EUROSTAT/DATABROWSER/VIEW/LFSA\\_ARGAN\\_CUSTOM\\_1300916/DEFAULT?TABLE?LANG=EN](https://ec.europa.eu/eurostat/databrowser/view/LFSA_ARGAN_CUSTOM_1300916/DEFAULT?TABLE?LANG=EN).

other caring responsibilities, whereas this is indicated as a key reason by only 2% of the men in the same category.



**FIGURE 4. EMPLOYMENT RATES OF WOMEN AND MEN IN NORTH MACEDONIA AND EUROPEAN UNION (EU-27) FROM 2011 TO 2020. SOURCE: EUROSTAT, EUROPEAN LABOUR FORCE SURVEY.**

The above statistics indicate that more than half of the working age women do not have any income from paid employment. This means that more than half of the working age women in our country are economically dependent and might be at risk of economic violence and abuse. Having no income on their own, in the event of any domestic violence, they can be deprived of financial resources to leave the cycle of violence. These prospects are even more gruesome in the face of the available social protection mechanisms. According to the Law on Social Protection<sup>22</sup>, a victim of domestic violence can receive up to 15 000 Macedonian denars as a onetime payment for urgent protection and sheltering and up to 12.000 denars for health care and medical treatment for a person-victim of domestic violence. The approved one-time financial aid is less than the minimum wage and it is questionable whether it can be treated as sufficient. Furthermore, victims of gender-based violence legally have the right to a guaranteed minimum assistance as a financial

22 LAW ON SOCIAL PROTECTION. OFFICIAL GAZETTE OF THE REPUBLIC OF NORTH MACEDONIA NO. 104/19, 146/19, 275/19, 302/20, 311/20, 163/21, 294/21 AND 99/22.

aid, but the realization of this right is dependent upon the proving that they have suffered domestic violence. As a result, this form of social protection does not provide the initial financial help required by a victim to decide to leave an abusive relationship<sup>23</sup>. In addition to the insufficient financial aid, the system for social protection presupposes temporary sheltering for victims of domestic or gender-based violence with accommodations of up to three months (in exceptional circumstances up to 6 months, but no longer than a year) but many women are practically deprived to exercise this right due to lack of properly established shelter centres. According to the new Law on Violence against Women and Domestic Violence, the measure for temporary sheltering includes inter alia integration of women victims of gender-based violence and domestic violence in active employment measures. It remains open whether this will further the system for protection of women-victims of gender-based violence, having in mind the low institutional cooperation. For an illustration, in 2019, only 78 victims of gender-based violence were referred to the Agency for Employment, which is 7% of the total number of women who reported being victims of domestic violence in the same year<sup>24</sup>.

## GENDER INEQUALITY AND NORMATIVE MASCULINITY

Societal expectations and practices built on certain ideologies implicitly or explicitly shape people's identities, behaviours and experiences. Gender identities and gendered practices are part of this process, as well as the construction of (normative) sexualities and beliefs of what is 'good' and aspiring behaviour. Hence, both men and women tend to conform to certain practices in order to fulfil societal expectations that build their gender identities. Although normative masculinity is not the most common practice by men and changes within context, it is what society expects men to enact. The narratives about the dominant or hegemonic masculinity are embodied in cultural representations of strong and powerful men who are superior to others. Raewyn Connell defines hegemonic masculinity by drawing on the Gramscian understanding of hegemony as practices by the ruling not by form of tyranny but by (unconscious) consent.<sup>25</sup>

Although contemporary definitions vary, hegemonic masculinities often build on certain power-related ideas such as expectations for men to have the breadwinning role in the family, or the notion of men as risk-takers, or men as entrepreneurs, or men as 'decision-makers', or men as 'the stronger gender', i.e. socially accepted stereotypes of gender roles. And while the notion "behave like a man" focuses on men, it presents a burden for both women and men, alike to many other norms arising from such practices and ideologies. Recent analyses show men expressing anxiety, depression and frustration over not being able to fulfil these roles in modern

<sup>23</sup> NATIONAL NETWORK TO END VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE – "VOICE AGAINST VIOLENCE" (2019).

GENDER ASPECT AND VICTIMS OF GENDER BASED AND DOMESTIC VIOLENCE IN THE LAW ON SOCIAL PROTECTION OF THE REPUBLIC OF NORTH MACEDONIA.

<sup>24</sup> NUSHKOVA, A., BALSHICEVSKA, M. (2020). RECOMMENDATIONS FOR FURTHERING EMPLOYMENT POSSIBILITIES FOR WOMEN VICTIMS OF DOMESTIC VIOLENCE. NATIONAL NETWORK TO END VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE – "VOICE AGAINST VIOLENCE".

<sup>25</sup> CONNELL, R., & MESSERSCHMIDT, J. W. (2005). HEGEMONIC MASCULINITY. GENDER & SOCIETY, 19(6), 829-859.

and transitional economies<sup>26</sup> and, if not addressed properly, in a vicious circle, these anxieties often fall on the back of women as well.

Failures to fulfil the expected role of 'man' as a provider or 'the stronger gender' further violence and violence as an assertion of dominance and power asymmetries is often used as a demonstration and reproduction of the hegemonic masculinity and the dare to face or induce risky and conflict situations<sup>27</sup>. Therefore, criminal offenses' perpetrators are more often men and men are also the majority of perpetrators of violent crimes such as crimes against life and body and crimes against sexual freedom (which this analysis also confirms).

The above-described notions are deeply rooted in the prevailing norms and widely accepted in North Macedonia hence, when men fail to perform their breadwinning role, this can become critical and result in increased gender inequalities and harmful practices or side-effects, such as rise in gender-based violence, alcohol consumption, or even suicide. Such harmful behaviours, although more commonly practiced by men<sup>28</sup>, negatively influence both men and women. Unfortunately, there are no national studies focusing on men that would, for example, show this impact based on casualization. However, there is a rather robust OSCE led study on Safety and Wellbeing of Women that reveals some traits of more common violent behaviour among male partners who are less educated and/or part of economically struggling households.<sup>29</sup> Other studies also show that the perceived lost control over the normative masculinity prescribed to men often results in substance abuse and violent behaviour.<sup>30</sup> Collected administrative data from relevant institutions in North Macedonia on reported and convicted perpetrators of criminal offences and on accused perpetrators by types of violent criminal offences, for a span of two decades (2000-2020), further confirm these practices and inequalities. (Figure 5. and Figure 6.)

It should also be noted that both women and men can be victims of violence committed by men. Women comprise the majority of victims when it comes to interpersonal partner violence in all its forms (psychological, economic, physical, and sexual). However, victims of these type of gender-based violence perpetuated mostly by men can also be other men (usually men that do not 'fit the prescribed norms' – like for example gay men, older men, migrants, ethnic minorities, men with different abilities, homeless men, but also children and boys<sup>31,32</sup>).

26 CORNWALL A., KARIORIS F., LINDISFARNE N. (2016). MASCULINITIES UNDER NEOLIBERALISM.

27 SCAMBOR, E AND BERGMANN, N AND WOJNICKA, K AND BELGHITI-MAHUT, S AND HEARN, J AND HOLTER, ØG AND GÄRTNER, M AND HRŽENJAK, M AND SCAMBOR, C AND WHITE, A (2014) MEN AND GENDER EQUALITY: EUROPEAN INSIGHTS. MEN AND MASCULINITIES, 17 (5). 552 - 577. ISSN 1097-184X

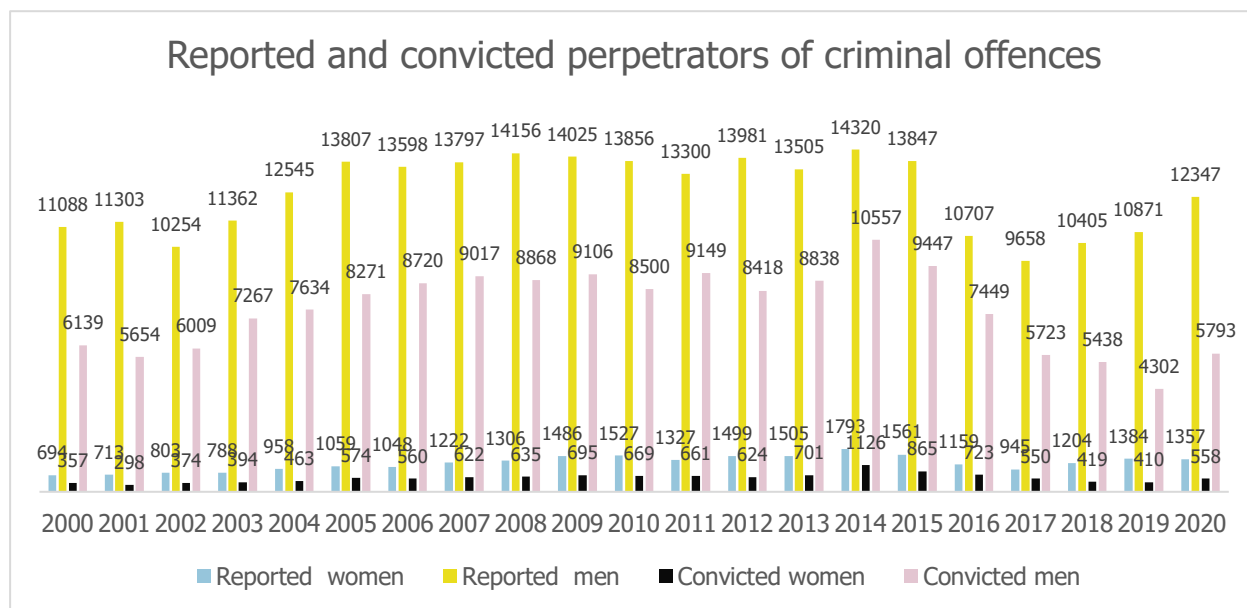
28 ACCORDING TO THE MINISTRY OF INTERIOR'S OFFICIAL STATISTICS, 94% OF ALL PERPETRATORS OF DOMESTIC VIOLENCE ARE MALE (LAST PUBLICLY AVAILABLE DATA - FROM 2017)

29 CONCLUSION DERIVED FROM RESPONDENT'S PARTNER CHARACTERISTICS (PSYCHOLOGICAL VIOLENCE IS MORE COMMONLY INDICATED BY WOMEN WHOSE PARTNERS DO NOT HAVE ANY FORMAL EDUCATION (66%) THAN ON AVERAGE (42%). IN CONTRAST, THIS FIGURE DROPS TO 34% AMONG WOMEN WHOSE PARTNERS HAVE TERTIARY EDUCATION. THE SAME IS ALSO TRUE FOR PHYSICAL VIOLENCE, BOTH SINCE THE AGE OF 15 (15% OF THOSE WHOSE PARTNERS HAVE NO FORMAL EDUCATION VERSUS 6% OF THOSE WHOSE PARTNERS HAVE AT LEAST PRIMARY EDUCATION) AND IN THE 12 MONTHS PRIOR TO THE SURVEY (7% VERSUS 2%). TAKEN FROM THE OSCE-LED SURVEY ON VIOLENCE AGAINST WOMEN: NORTH MACEDONIA - RESULTS REPORT (MAY 2019). AVAILABLE AT: [HTTPS://WWW.OSCE.ORG/SECRETARIAT/419264](https://www.osce.org/secretariat/419264)

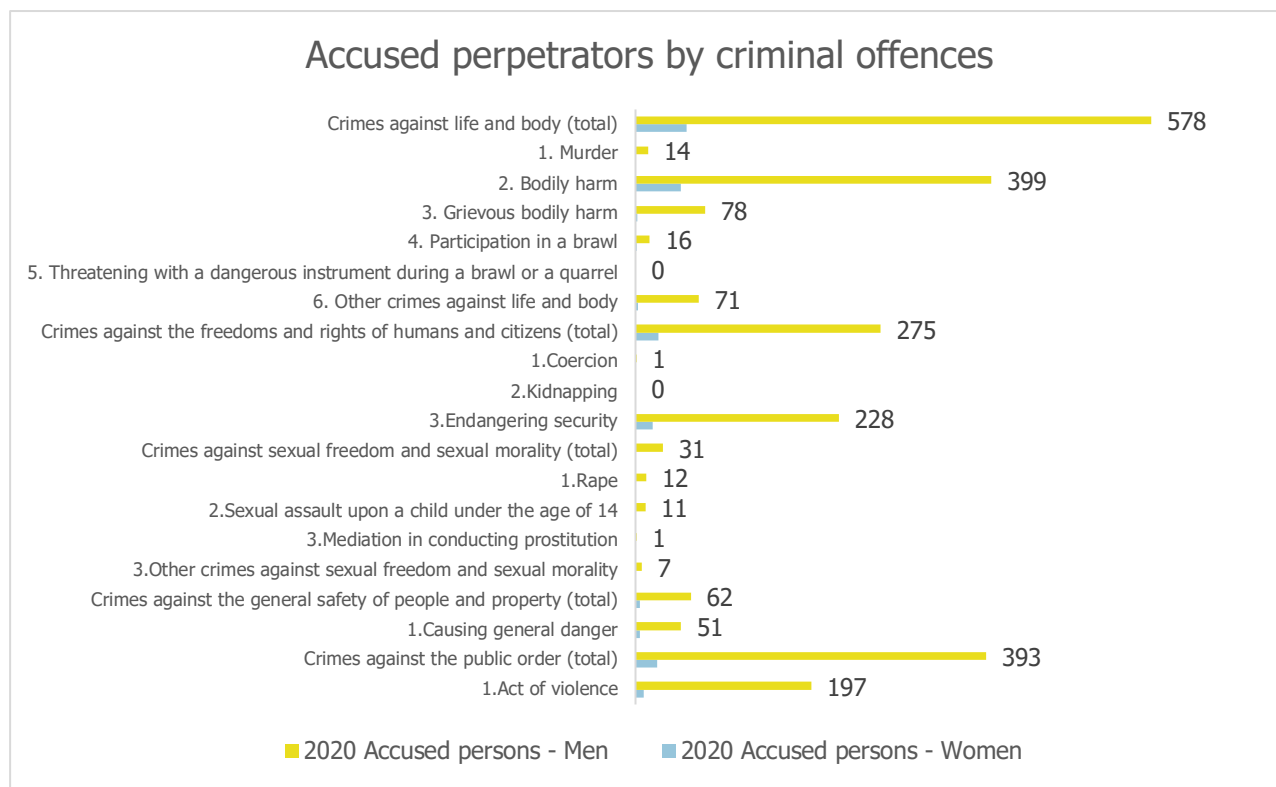
30 EDSTRÖM, J.; ALY, R.; GREIG, A. AND WALKER, C. WITH BABENKO, S.; ÇAĞLAR, M.; KUDAIBERGENOVA, D. AND MÜLLER, C. (2019) MASCULINITIES AND TRANSITION: ENDURING PRIVILEGE?, BRIGHTON: IDS

31 IBID.

32 SCAMBOR, E., WOJNICKA, K. AND BERGMANN, N. (EDS.). 2013. THE ROLE OF MEN IN GENDER EQUALITY. EUROPEAN STRATEGIES & INSIGHTS (STUDY PREPARED FOR EUROPEAN COMMISSION, DG JUSTICE - UNIT D2 GENDER EQUALITY. WITH CONTRIBUTIONS BY BELGHITI-MAHUT, S., BERGMANN, N., GÄRTNER, M., HEARN, J., HOLTER, Ø. G., HRŽENJAK, M., PUCHERT, R., SCAMBOR, C., SCAMBOR, E., SCHUCK, H., SEIDLER, V., WHITE, A. AND WOJNICKA, K.). LUXEMBOURG: PUBLICATIONS OFFICE OF THE EUROPEAN UNION.

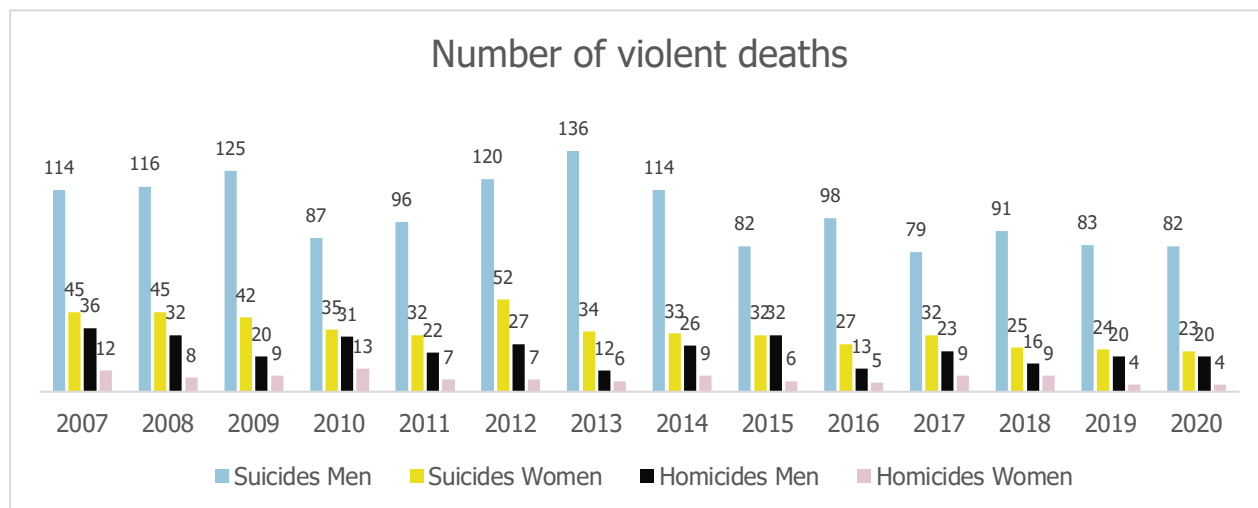


**FIGURE 5. REPORTED AND CONVICTED PERPETRATORS OF CRIMINAL OFFENCES BY GENDER. SOURCE: STATE STATISTICAL OFFICE (N)**



**FIGURE 6. ACCUSED PERPETRATORS BY TYPES OF VIOLENT CRIMINAL OFFENCES, BY GENDER, 2020. SOURCE: STATE STATISTICAL OFFICE (N)**

On the other hand, men are the majority of victims when it comes to violent crimes, such as serious assaults and homicides, perpetrated by other men. Furthermore, men also suffer a higher likelihood for suicide.



**FIGURE 7. NUMBER OF VIOLENT DEATHS BY GENDER. SOURCE: STATE STATISTICAL OFFICE**

Direct or interpersonal violence, such as violent crimes can be linked to the structural violence that produces and is produced by social inequalities and studies have shown that one significant predictor of the levels of direct violence in a society is the size of income inequality<sup>33,34</sup>. In this respect, North Macedonia is characterized with substantial social inequality - the richest 1% earn 14 times more than the average<sup>35</sup> while 32.6% are at risk of poverty and social exclusion (comparably the EU-27 average is 21.5%)<sup>36</sup>. However, there is a lack of nationally relevant evidence how these inequalities relate to the levels of violence.

As we already pointed out, one of the capital prescriptions of the normative masculinity is for men to be the breadwinners in the nuclear family and paid work is still the central source of men's identity and status<sup>37</sup>. Pressure to fulfil this societal expectation can translate into existential anxieties and frustration over not being able to meet the prescribed roles in transitional and modern economies, which can also lead to violent behaviours. International studies have shown, for example, that unemployment increases domestic violence. Men who lose their jobs are more

33 WILKINSON R. WHY IS VIOLENCE MORE COMMON WHERE INEQUALITY IS GREATER? ANN N Y ACAD SCI. 2004 DEC;1036:1-12.

34 HSIEH C-C, PUGH MD. POVERTY, INCOME INEQUALITY, AND VIOLENT CRIME: A META-ANALYSIS OF RECENT AGGREGATE DATA STUDIES. CRIMINAL JUSTICE REVIEW. 1993;18(2):182-202.

35 MINISTRY OF FINANCE. 2018. "INTRODUCTION OF A FAIR TAX IN THE REPUBLIC OF MACEDONIA". AVAILABLE AT: [HTTPS://BIT.LY/2T5CVMJ](https://bit.ly/2T5CVMJ)

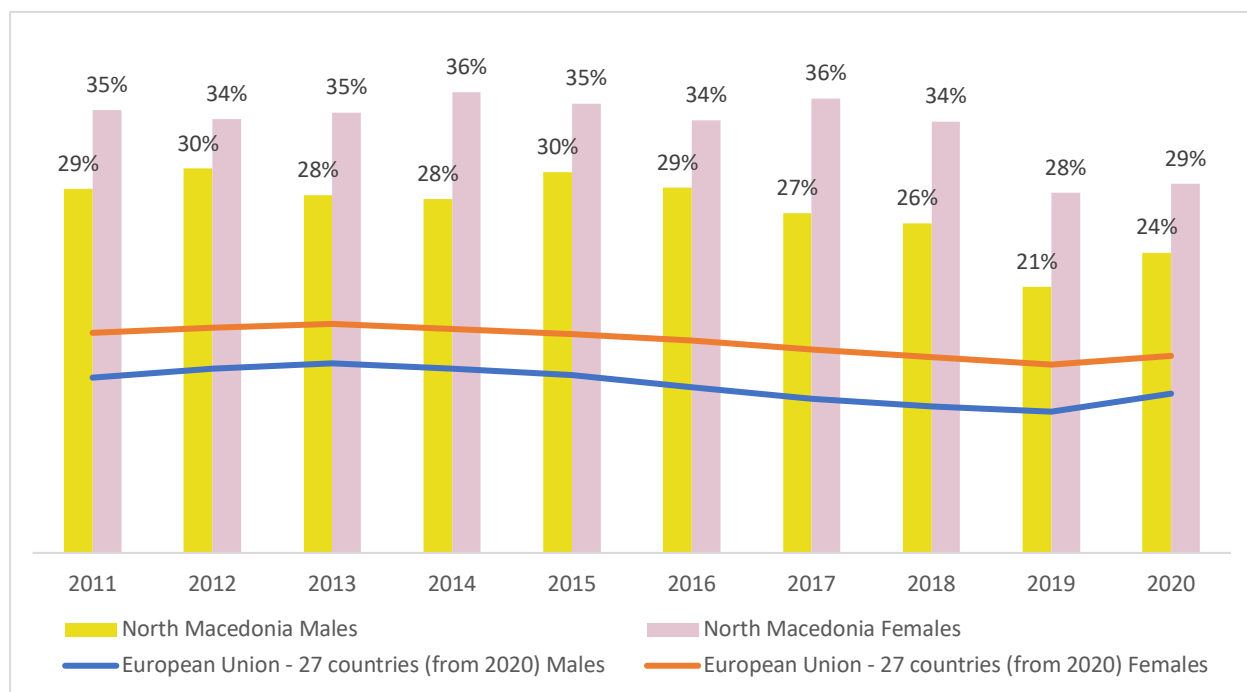
36 EUROSTAT (LAST DATA UPDATE: 08/06/2022). PEOPLE AT RISK OF POVERTY OR SOCIAL EXCLUSION, 2020

37 SCAMBOR, E AND BERGMANN, N AND WOJNICKA, K AND BELGHITI-MAHUT, S AND HEARN, J AND HOLTER, OG AND GÄRTNER, M AND HRŽENJAK, M AND SCAMBOR, C AND WHITE, A (2014) MEN AND GENDER

EQUALITY: EUROPEAN INSIGHTS. MEN AND MASCULINITIES, 17 (5). 552 - 577. ISSN 1097-184X



likely to inflict domestic violence and women who lose their jobs are more likely to become victims of domestic violence.<sup>38</sup> There is not a robust national data that confirms these relations, however, the OSCE-led regional study indicates that women whose current partner is unemployed (17%), are more likely to have experienced intimate partner physical and/or sexual violence in their lifetime compared with those whose partner has a paid employment (13%).<sup>39</sup> As a transitional economy North Macedonia still lags behind EU countries, with lower employment and activity rates (see figures 3 and 4) and higher unemployment rates. Furthermore, North Macedonia has one of the highest rates of young people who are neither in employment nor in education in Europe.<sup>40</sup>



**FIGURE 8. YOUNG PEOPLE (FROM 15 TO 29 YEARS) NEITHER IN EMPLOYMENT NOR IN EDUCATION AND TRAINING (NEET). SOURCE: EUROSAT**

Based on the mentioned causalities, these young people are at risk of social exclusion and there is an open question that remains unanswered: how much structural violence could be translated into actual violence in their case? Patriarchal practices that shape boys' and men's lives into hegemonic or toxic masculinity hurt many women and men, while serving the patriarchal and neoliberal system's status quo. **This imposes an immediate necessity to work with men but also youth and especially boys.** Since men are more likely to be perpetrators, and they

38 BHALOTRA, S., BRITTO, D., PINOTTI, P., AND SAMPAIO, B. (2021), 'DOMESTIC VIOLENCE: THE POTENTIAL ROLE OF JOB LOSS AND UNEMPLOYMENT', CAGE POLICY BRIEFING (NO.34)

39 ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE. WELLBEING AND SAFETY OF WOMEN: OSCE SURVEY ON VIOLENCE AGAINST WOMEN: MAIN REPORT, 2019; AVAILABLE AT: [HTTPS://WWW.OSCE.ORG/FILES/F/DOCUMENTS/9/2/413237\\_0.PDF](https://www.osce.org/files/f/documents/9/2/413237_0.pdf)

40 EUROSTAT (LAST UPDATE: 11/05/2022). YOUNG PEOPLE NEITHER IN EMPLOYMENT NOR IN EDUCATION AND TRAINING BY SEX, AGE AND LABOUR STATUS (NEET RATES), 2020

can also be victims of violence, it is imperative for them to be included as agents of prevention of violence and GBV<sup>41</sup>.

## Chapter 2

### LEGAL FRAMEWORK AND INSTITUTIONAL RESPONSE

This chapter applies a legal analysis in which the analytical framework is set through international and regional standards for the prevention of gender-based violence, especially the treatment of perpetrators of gender-based violence and domestic violence. International and regional standards serve to assess the degree of compliance and adequacy of the domestic legal framework in fulfilling the positive obligation undertaken by signing and ratifying international instruments.

The analysis also presents the factual state of play when it comes to gender-based violence and family violence and, in particular, the implementation of preventive measures and the functioning of treatment programmes for perpetrators, in order to better describe the gaps in policies and the challenges faced by the victims who have experienced violence. The analysis takes into account relevant research and analysis in the field, as well as statistical and administrative data collected from relevant institutions and organisations.

### INTERNATIONAL STANDARDS FOR THE PREVENTION AND PROTECTION OF GENDER-BASED VIOLENCE

Internationally, The UN Convention on Elimination of All Forms of Discrimination against Women (CEDAW) from 1979 is the first legally binding and one of the most significant documents advocating the achievement of substantive equality between women and men, which is key to dealing with gender-based violence against women. The Committee on Elimination of All Forms of Discrimination against Women defines gender-based violence for the first time<sup>42</sup> and sets out the obligations of signatory states to ensure adequate protection for victims of all forms of violence against women.<sup>43</sup> The committee's recommendations to eliminate all forms of discrimination against women are a catalyst in improving the national laws of member states, but also raising the standard for protecting victims of gender-based violence internationally.

Documents adopted at UN level have undoubtedly influenced regional human rights systems. The European Court of Human Rights has made decisions that have a key impact on establishing case law in cases of violence against women and are an integral element in establishing international law. In the *Opuz v. Turkey* decision of 2009, the ECHR found that "family violence is discrimination

<sup>41</sup> SCAMBOR, E AND BERGMANN, N AND WOJNICKA, K AND BELGHITI-MAHUT, S AND HEARN, J AND HOLTER, OG AND GÄRTNER, M AND HRŽENJAK, M AND SCAMBOR, C AND WHITE, A (2014) MEN AND GENDER EQUALITY: EUROPEAN INSIGHTS. MEN AND MASCULINITIES, 17 (5). 552 - 577. ISSN 1097-184X

<sup>42</sup> COMMITTEE ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN. GENERAL RECOMMENDATION NO. 19 VIOLENCE AGAINST WOMEN, 1992.

<sup>43</sup> COMMITTEE ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN. GENERAL RECOMMENDATION NO. 35 GENDER BASED-VIOLENCE AGAINST WOMEN, UPDATING GENERAL RECOMMENDATION NO.19, 2017.

against a woman... and continued domestic violence for which the victim does not receive any protection from the state is an infringement of the prohibition on torture inhumane and degrading treatment and punishment."<sup>44</sup>

Over the past two decades, the Council of Europe has taken a series of initiatives to promote and protect women from violence, including the Rec Recommendation (2002)<sup>45</sup> of the Committee of Ministers of Member States to Protect Women from Violence. Built upon the Recommendation (2002)<sup>5</sup>, in 2011, the Council of Europe adopted the Convention on the Prevention and Fight against Violence against Women and Family Violence, the so-called Istanbul Convention. After more than seven years of active advocacy and lobbying by women's rights organisations,<sup>46</sup> the Assembly of the Republic of North Macedonia finally ratified the Istanbul Convention in December 2017, and as of 1<sup>st</sup> July 2018 it has also entered into force. In accordance with the Article 118 of the Constitution of the Republic of North Macedonia, the text of the Istanbul Convention is part of the state's legal system<sup>47</sup> but its ratification has also created an obligation for the competent institutions to revise the existing legal framework and to take action to effectively address the causes and consequences of violence against women.

Social norms arising from the collective expectation of appropriate behaviour that include female purity, safeguarding a man's honour, and the authority of a man in disciplining women and children also support gender-based violence. Therefore, the establishment of prevention programs, among others, should affect the change of social norms and personal beliefs that maintain and tolerate sexual and other forms of violence against women and girls.<sup>48</sup> Working with perpetrators of domestic violence, which implies their responsibility for the violence committed and, at the same time, changing their perception of gender relations, is also supported by the Committee on the Elimination of All Forms of Discrimination against Women; the Beijing Platform for Action and the UN Secretary-General.<sup>49</sup>

The Istanbul Convention imposes an obligation on signatory countries to implement preventive interventions and establish treatment programmes to help perpetrators change their behaviour and prevent violence in the future. According to the nature of the Convention, these programmes should encourage perpetrators to take responsibility for their actions and investigate their behaviour and attitudes towards women. The drafters of the Convention have no intention of detailing the way these programmes are established and functioning, however, the ultimate goal of these programmes must be to prevent the re-execution of violence and to promote successful reintegration of the perpetrators of violence in the community.

<sup>44</sup> ECHR, OPUZ V. TURKEY, NO. 33401/02, 9 JUNE 2009

<sup>45</sup> COMMITTEE OF MINISTERS, RECOMMENDATION REC (2002)5 ON THE PROTECTION OF WOMEN AGAINST VIOLENCE (30 APRIL 2002).

<sup>46</sup> ACTIVISTS SOUGHT RATIFICATION AND JOINED THE INTERNATIONAL "SIGNI" CAMPAIGN AVAILABLE AT: [HTTP://WWW.POTPISUVAM.ORG/MK/](http://www.potpisuvam.org/mk/)

<sup>47</sup> OFFICIAL GAZETTE OF THE REPUBLIC OF SLOVENIA NO. 52/1991; 1/1992; 1/1992; 31/1998; 31/1998; 91/2001; 91/2001; 84/2003; 84/2003; 107/2005; 107/2005; 3/2009; 3/2009; 13/2009; 49/2011; 49/2011; 6/2019; 6/2019. CONSTITUTION OF THE REPUBLIC MACEDONIA, ARTICLE.118.

<sup>48</sup> PERRIN, N., MARSH, M., CLOUGH, A. ET AL. SOCIAL NORMS AND BELIEFS ABOUT GENDER BASED VIOLENCE SCALE: A MEASURE FOR USE WITH GENDER BASED VIOLENCE PREVENTION PROGRAMS IN LOW-RESOURCE AND HUMANITARIAN SETTINGS (2019). AVAILABLE AT: [HTTPS://DOI.ORG/10.1186/S13031-019-0189-X](https://doi.org/10.1186/S13031-019-0189-X)

<sup>49</sup> CEDAW COMMITTEE RECOMMENDATION NO. 19 PARA 24. BEIJING PLATFORM STRATEGIC OBJECTIVES WHERE THE STATEMENT OF THE UN SECRETARY-GENERAL IS QUOTED.

NATIONAL STANDARDS FOR PREVENTION AND PROTECTION FROM GENDER-BASED VIOLENCE  
During 2018, after a preparatory process was implemented, the country adopted the **Action Plan for the Implementation of the Convention on the Prevention and Combating Violence against Women and Domestic Violence in the Republic of North Macedonia 2018-2023** (hereinafter: Action Plan).<sup>50</sup> The preparation of this Action Plan involved representatives of state institutions, judges, prosecutors, representatives of civil society organisations and experts, and the aim was to set a framework for the actions of all concerned parties, in an open and inclusive manner, covering the period 2018-2023, and in the direction of rethinking the text of the Istanbul Convention in policies and practices at national level, this Action Plan sets three key objectives: 1) harmonisation of the legal framework; 2) establishing services and 3) prevention of violence against women and domestic violence. In the domain of harmonisation of the legal framework, the Action Plan envisions the adoption of a separate Law on Prevention and Protection from Gender-Based Violence, while in the services domain, it envisages the establishment of a counselling centre for domestic violence perpetrators and the proper development of operational standards and procedures for counselling centres for domestic violence perpetrators.

In January 2021, the Assembly of North Macedonia adopted **the Law on Prevention and Protection from Violence against Women and Family Violence**<sup>51</sup>, which aims at implementing the Istanbul Convention by prescribing the procedure for protecting victims of violence, systematic co-ordination and co-operation of all the authorities and institutions, as well as the obligations of the concerned parties to prevent all forms of gender-based violence. The law provides the definitions of the terms used in the text, and for the most part it reflects the spirit of the Istanbul Convention. Thus, the law defines "**violence against women**" as a violation of human rights, discrimination against women and refers to all acts of gender-based violence that lead to or are likely to lead to physical, sexual, psychological or economic harm or suffering of women, including direct and indirect threats and intimidation as such acts, extortion, arbitrary restriction and / or deprivation of liberty, regardless whether they occur in public or private life. In addition to the definition of domestic violence, which may relate to violence between partners and intergenerational violence, the law specifically defines "**violence of an intimate partner**" as behaviour of a current or former spouse or partner that causes physical, sexual, psychological, or economic violence. **The Criminal Code**, which prohibits some of the forms of gender-based violence recognized by the Istanbul Convention, contains a narrower definition of the terms "**family violence**" and "**victim**".<sup>52</sup> As prescribed by the Istanbul Convention, "**perpetrator**" in the sense of the Law on Prevention and Protection from Violence against Women and Domestic Violence is any natural and legal person who has committed or has

50 GOVERNMENT OF THE REPUBLIC OF MACEDONIA. ACTION PLAN FOR IMPLEMENTATION OF THE CONVENTION ON THE PREVENTION AND FIGHT AGAINST VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE OF THE REPUBLIC OF MACEDONIA 2018-2023, 2018.

51 OFFICIAL GAZETTE OF RSM NO. 24/2021. LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE.

52 DURING THE PERIOD OF PREPARATION OF THIS ANALYSIS THE PROPOSAL FOR AMENDMENTS TO THE CRIMINAL CODE TO COMPLY WITH THE PROVISIONS OF THE ISTANBUL CONVENTION WAS BROUGHT TO THE ASSEMBLY FOR A REVIEW PROCEDURE. THE PROPOSAL PARTIALLY ADDRESSES THE DEFICIENCIES IDENTIFIED IN THIS ANALYSIS BUT THE CODE WAS NOT AMENDED DURING THE PERIOD OF PREPARATION AND CONCLUSION OF THIS ANALYSIS.

not undertaken any of the actions that fall within the definition of violence against women; gender-based violence; domestic violence and violence by an intimate partner, while "**victim**" is any natural person who is exposed to one of the forms of violence established in the Law. In this respect, there is a disagreement or lack of approximation of the definition of "victim" in the Criminal Code, which prosecutes perpetrators of some forms of gender-based violence. Namely, the definition in the Criminal Code requires an additional criterion for prosecution and that is the existence of physical and mental injury, emotional suffering, material loss or another injury or endangerment of the freedoms and rights of the victim as a consequence of the committed crime,<sup>53</sup> which narrows down the meaning of the status of the victim. The ongoing amendments to the Criminal Code should be complementary to the Istanbul Convention and the Law on Prevention and Protection from Violence against Women and Family Violence, thereby strengthening the criminal-legal protection of victims and ensuring that perpetrators will be held responsible for committing any forms of gender-based violence against women and family violence.

The recognition of violence against women as a violation of human rights highlights the legally binding force of the obligation to prevent, eliminate and penalise violence, while also imposing a legal responsibility if authorities do not adhere to this obligation. The Istanbul Convention is based on the assumption that not all men are violent and that all members of society can make a significant contribution to the prevention of violence. However, most of the scope of the Istanbul Convention, and hence the Law on Prevention and Protection from Violence against Women and Domestic Violence, refers to forms of violence that are most often committed by men and boys<sup>54</sup> and therefore it is important to pay particular attention to their role in dealing with the causes and consequences of violence against women. When it comes to perpetrators, the 2018 OSCE study reveals that physical and / or sexual violence is slightly more likely to be committed by an ex-partner: 12% of women who had an ex-partner experienced one or more forms of such violence, compared to 7% of those who were victims of violence from the current partner.<sup>55</sup>

North Macedonia is obliged to adopt a legal framework that will allow the establishment or support of a programme aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relations in order to prevent further violence and change violent patterns of behaviour.<sup>56</sup> The Istanbul Convention particularly underlines the obligation to **establish or support specially designed programs aimed at treating convicted perpetrators of all forms of sexual violence to reduce relapse in the execution of crimes against sexual freedom**. These programmes should be available in prisons where these persons serve a prison sentence or in the community where they will continue to use the services even after serving their sentence.

53 OFFICIAL GAZETTE OF RM NO. 80/1999; 48/2001; 4/2002; 16/2002; 43/2003; 19/2004; 40/2004; 81/2005; 50/2006; 60/2006; 73/2006; 87/2007; 7/2008; 139/2008; 114/2009; 51/2011; 51/2011; 135/2011; 185/2011; 142/2012; 143/2012; 166/2012; 55/2013; 82/2013; 14/2014; 27/2014; 28/2014; 41/2014; 41/2014; 115/2014; 132/2014; 160/2014; 199/2014; 196/2015; 226/2015; 97/2017; 170/2017; 248/2018. CRIMINAL CODE, ARTICLE 122 ST. 22.

54 COUNCIL OF EUROPE. EXPLANATORY REPORT TO THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, 2011, P. 17.

55 ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE. WELLBEING AND SAFETY OF WOMEN: AN OSCE SURVEY ON VIOLENCE AGAINST WOMEN IN NORTH MACEDONIA, 2019.

56 COUNCIL OF EUROPE. CONVENTION ON THE COUNCIL OF EUROPE ON THE PREVENTION AND FIGHT AGAINST VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, ARTICLE 14.

## SERVICES FOR VICTIMS OF GENDER-BASED VIOLENCE AND FAMILY VIOLENCE

The Law on Prevention and Protection from Violence against Women and Family Violence (LPPVWFV) foresees several specialized services for women victims of gender-based violence and family violence. These services are financed by the Budget of Republic of North Macedonia, the budgets of the local self-government units, as well as from other sources.<sup>57</sup> The Law prescribes the establishment of the following specialized services:

- 24-hour SOS line;
- Counselling service (psycho-social support, counselling and treatment of women and children victims of gender-based violence and domestic violence);
- Temporary accommodation service for women victims of gender-based violence and domestic violence and their children, women victims of sexual violence and rape, victims of human trafficking and victims of violence based on sexual orientation and gender identity;
- Protection and support service for women victims of sexual violence and rape in a centre for referral of victims of sexual violence;
- Long-term treatment service of women victims of sexual violence and rape provided by a centre for long-term counselling and psychotherapy;
- Free legal aid in accordance with national laws; and
- Reintegration of victims of violence.

In 2021, the MLSP adopted a Rulebook which regulates the norms and standards for the centres for temporary accommodation service.<sup>58</sup> Additionally, in accordance with the Action Plan, the Institute for Social Affairs prepared several standard operational procedures for the establishment and functioning of the specialised services for victims of gender-based violence and family violence.<sup>59</sup> Moreover, several national institutions have prepared a standard operating procedure for a comprehensive multisectoral response in the centres for referral of sexual violence which are located in public health institutions in Skopje, Tetovo and Kumanovo.

## SERVICES FOR PSYCHOSOCIAL TREATMENT OF PERPETRATORS

When it comes to preventive measures, **the Law on Prevention and Protection from Violence against Women and Family Violence** provides for the establishment of counselling for psychosocial treatment of domestic violence perpetrators.<sup>60</sup> **Counselling services are further regulated in detail by the Social Protection Act**, and they cover counselling work, with the aim of preventing, mitigating and overcoming the consequences of the social problems of an individual and the family.<sup>61</sup> According to the Action Plan, **a total of ten counselling**

57 OFFICIAL GAZETTE OF RSM NO. 24/2021. LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE, ARTICLE 89.

58 OFFICIAL GAZETTE OF RSM NO.91/2021. RULEBOOK ON THE MANNER, SCOPE, NORMS AND STANDARDS FOR PROVIDING THE SOCIAL SERVICE FOR TEMPORARY ACCOMODATION AND FOR THE SPACE, MEANS, STAFF AND NECESSARY DOCUMENTATION FOR THE CENTRE FOR TEMPORARY ACCOMODATION.

59 PUBLIC INSTITUTION INSTITUTE FOR SOCIAL AFFAIRS. STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE CENTRES FOR SOCIAL WORK WITH VICTIMS OF GENDER-BASED VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE, STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE SERVICE PROVIDERS OF TEMPORARY ACCOMODATION, STANDARDS AND PROCEDURES FOR LICENSED PROVIDERS OF THE SPECIALISED COUNSELLING SERVICE – SPECIALISED SERVICES FOR WOMEN VICTIMS OF GENDER-BASED VIOLENCE AND VICTIMS OF FAMILY VIOLENCE, STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE LICENSED PROVIDERS OF SPECIALISED SERVICES – SOS LINE FOR ASSISTANCE OF VICTIMS OF VIOLENCE, 2021.

60 OFFICIAL GAZETTE OF RSM NO. 24/2021. LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE, ARTICLE 39.

61 OFFICIAL GAZETTE OF RSM NO. 104/2019; 146/2019; 275/2019; 302/2020; 311/2020 AND 163/2021. SOCIAL PROTECTION ACT, ARTICLE 73.



**centres for psychosocial support for victims of domestic violence, domestic violence perpetrators and children are planned to be opened on the territory of the entire country by 2023.** The way this indicator is set in the Action Plan leads to a conclusion that in one counselling centre the three categories of persons will receive services, and according to the factual situation, women and children, victims of violence need different types of counselling, compared to the one that the perpetrators need. In addition, establishing these services in one place could put victims at additional risk, which is contrary to the Council of Europe standards.<sup>62</sup>

In 2021, the MLSP adopted a Rulebook regulating the norms and standards for providing counselling services in counselling centres.<sup>63</sup> The counselling service provider should meet the norms and standards prescribed by the Rulebook in terms of space, equipment, staff, annual plan for financial resources, work in a non-discriminatory environment, as well as internal procedures for evaluation of the provided social service. According to the Rulebook, the counselling centre should have separate rooms for individual and group work (or a common room used for both individual and group work) with specific dimensions. Regarding employees, the counselling centre should have at least one social worker and a psychologist with a specialised license, one of which is appointed as the coordinator of the centre. This Rulebook does not provide any specific criteria regarding the qualifications and work experience of the personnel. According to the data available on the website of the Ministry of Labour and Social Policy, at the period of the preparation of this draft analysis, eight counselling centres have been established to treat perpetrators distributed in the eight statistical regions. However, there is lack of any information regarding the space capacity needed for such services, the number and type of personnel that provides such services, as well as any information on whether the responsible staff, if any, has undergone appropriate professional trainings to be able to work with perpetrators. Additionally, shadow reports reveal that as many as 6 of these centres are non-functional due to lack of human resources, and case managers are engaged in the centres for social work<sup>64</sup>.

In accordance with the Action Plan, in 2018, the Institute for Social Affairs prepared the Standard Operational Procedures (SOPs) for the functioning of the counselling centre for perpetrators of family violence.<sup>65</sup> According to the SOPs, psychosocial treatment of perpetrators is carried out in a separate room by a psychologist, social worker, educator and psychiatrist who should possess a working certificate issued under the Psychosocial Treatment Programme, but there are no specific criteria regarding the necessary knowledge and experience in relation to specific issues related to gender-based violence. **Conducting this type of intervention requires capable and trained staff.** In addition to an adequate psychological education and knowledge of the nature of family violence, employed staff should necessarily possess cultural and linguistic abilities that will allow them to work with different types of men who will be part of that program.<sup>66</sup> To

62 COUNCIL OF EUROPE. COMBATING VIOLENCE AGAINST WOMEN: MINIMUM STANDARDS FOR SUPPORT SERVICES, 2008.

63 OFFICIAL GAZETTE OF RSM NO.84/2021. RULEBOOK ON THE MANNER, SCOPE, NORMS AND STANDARDS FOR PROVIDING COUNSELLING SERVICES AND ON THE SPACE, MEANS, STAFF AND NECESSARY DOCUMENTATION FOR COUNSELLING CENTRES.

64 KAROVSKA CHEMERSKA, D. HERA (2022). REPORT ON THE MONITORING OF THE IMPLEMENTATION OF THE ACTION PLAN FOR THE IMPLEMENTATION OF THE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE; AVIALABLE AT: [HTTPS://HERA.ORG.MK/IZVESHTAJ-MONITORING-AP-ISTANBULSKA-KONVENCIA/](https://hera.org.mk/izveshtaj-monitoring-ap-istanbulska-konvencija/)

65 PUBLIC INSTITUTION INSTITUTE FOR SOCIAL AFFAIRS. STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE COUNSELLING CENTRE FOR PERPETRATORS OF FAMILY VIOLENCE, 2018.

66 COUNCIL OF EUROPE. EXPLANATORY REPORT TO THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, 2011.

consistently implement the Obligation of the Istanbul Convention, it is necessary for the treatment of perpetrators to engage staff who have at least 30 hours of training on topics related to gender analysis of violence against women; the female perspective and experience; manipulations by the abuser; the experience of children; the legal framework; the differences; substance abuse; as well as understanding the process of change and risk assessment and risk management.<sup>67</sup>

One of the basic principles of working with perpetrators is data secrecy and a coordinated approach.<sup>68</sup> Hence, the right to confidentiality of the perpetrator of violence in the treatment programme is limited and the fact that he has left the programme or does not visit regularly must be shared with the victim counselling and protection programmes, as well as with the victim herself.<sup>69</sup> Thus, the principle of due care will preserve security and reduce the possibility of repeated violence if the victim knows that the perpetrator has left treatment, has been suspended from the program or if there is any concern about the behaviour of the perpetrator that puts women and children at risk. The standards for the implementation of specific services in accordance with the Istanbul Convention imply that the services for perpetrators and victims should be separated in different locations and, at the same time, it is important that these services are established and are functioning as isolated. It is crucial that these services cooperate with the services for the support of women, the police, the prosecution and the courts, the probation services and the services for protection of children's rights.

It is especially important that the programmes for treatment of perpetrators, but also the entire system for the protection of victims of gender-based violence, function through the prism of gender analysis of violence against women and to work closely with social services to protect children's rights. The prepared SOPs at national level do not allow for the possibility of excluding the principle of secrecy and confidentiality and do not provide for a clear procedure for exclusion from the programme and informing the victim in case of any cancellation, i.e. the exclusion of the perpetrator from the programme.

## GROUNDWORK FOR ENTERING A TREATMENT FOR DOMESTIC VIOLENCE PERPETRATORS

Perpetrators can be included in treatment programmes either by a court decision or by a voluntary decision of the perpetrator. In both cases, the perpetrator's inclusion in a perpetrator treatment programme can affect the victim's decision to stay or leave the abuser and create a false sense of security. As a result, it is important to prioritize the needs and safety of the victim. This is in accordance with the principle of due diligence established by the Istanbul Convention and translated by the Law on Prevention and Protection from Violence against Women and Domestic Violence. Namely, state authorities, legal entities exercising public powers established by law, governing officials, public administrators and other authorized persons carrying out work on behalf of the state are obliged to refrain from participating in acts of violence, as well as to take

<sup>67</sup> IDEM.

<sup>68</sup> PUBLIC INSTITUTION INSTITUTE FOR SOCIAL AFFAIRS. STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE COUNSELLING CENTRE FOR PERPETRATORS OF FAMILY VIOLENCE, 2018.

<sup>69</sup> COUNCIL OF EUROPE. EXPLANATORY REPORT TO THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, 2011.



all measures and activities to prevent any act of gender-based violence against women and family violence.<sup>70</sup>

According to the SOPs, the **referral to a Counselling Centre for domestic violence perpetrators** can be carried out by a court, social work centre, police, health care facility or based on a self-initiative by the perpetrator of domestic violence. In the event of violence, **victims are entitled to judicial protection in criminal and civil proceedings, but they do not necessarily have to take any legal action to be able to exercise their right to a violence protection service.** Additionally, treatment programmes for perpetrators should not be considered as an alternative to prosecution, sentencing or serving a sentence, by any means. The Law on Prevention and Protection from Violence against Women and Family Violence <sup>71</sup> gives the court the opportunity, when it comes to civil proceedings, to impose **a temporary measure for protection** on the perpetrator – **a legal obligation to attend counselling for perpetrators of violence against women or family violence.** <sup>72</sup> The provision allows the court to impose such a measure in case of any form of violence against women, while in practice only perpetrators of domestic violence can be included in the treatment programme for perpetrators of domestic violence.<sup>73</sup>

As elaborated in the previous chapter, North Macedonia is characterized by a strong traditional model of gender roles division. Men are generally considered as the main providers, while women can at best contribute with additional earnings. This applies to both couples and individuals, whereby when it comes to couples with children, women play a key role in the care and upbringing of children. <sup>74</sup> The lack of understanding of the gender aspect of family violence and the relationship dynamics results in the establishment of a negative trend in initiating procedures for imposing temporary protection measures against the perpetrator of the family (usually the father) and the mother, and in child protection. Centres for Social Work (SCW) issue a recommendation for imposing a temporary protection measure against the mother (a long-term victim of domestic violence) on the grounds that she has failed to protect her children from violence by the father. Such practice is dangerous and contrary to the standards of the Istanbul Convention, which requires to implement an intervention that puts the victim at the centre and the measures taken need to respect the human rights of the victim. The actions of the SCW result in encouraging the perpetrator to continue with the violence – they do not prevent future violence; reaffirm the gender role of the mother as solely responsible for the care and upbringing of children and compromise the role of the victim by depriving her of services for protection from violence and of motivation to report cases of violence in the future. Discouraging victims from reporting violence can be fatal, as evidenced by the data above, which show that femicides (killing women because they are women) are more common in women who have never reported violence. <sup>75</sup>

70 OFFICIAL GAZETTE OF SRM NO. 24/2021. LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE, ARTICLE 4.

71 COUNCIL OF EUROPE. COMBATING VIOLENCE AGAINST WOMEN: MINIMUM STANDARDS FOR SUPPORT SERVICES, 2008.

72 OFFICIAL GAZETTE OF SRM NO. 24/2021. LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE, ARTICLE 58.

73 PUBLIC INSTITUTION INSTITUTE FOR SOCIAL AFFAIRS. STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE COUNSELLING CENTRE FOR PERPETRATORS OF FAMILY VIOLENCE, 2018.

74 REACTOR - RESEARCH IN ACTION. MEN AND CARE (MIG) : CARING MASCULINITY IN NORTH MACEDONIA : NATIONAL REPORT, 2021.

75 IS. DIMUSHEVSKA. FEMICIDES IN THE REPUBLIC OF NORTH MACEDONIA, UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP) IN SKOPJE 2021.

## PROGRAM ENTRY CRITERIA

The Council of Europe standards impose an obligation to establish clear criteria for admission to the programme and to prepare a risk assessment before the perpetrator enters the treatment. The procedure for psychosocial treatment of perpetrators of domestic violence determines the criteria for a person to be eligible for a treatment, as follows: to have a case of domestic violence; not to be addicted to psychoactive substances; there is no acute mental illness that could complicate the treatment and the personal motivation for involvement and willingness to change on the side of the perpetrator.<sup>76</sup> **Admission is based on the assessment whether the person meets these conditions, and not on the basis of an assessment of the risk to women and children victims of violence.** The minimum standards for the functioning of the program for perpetrators of violence require an assessment of the client's suitability for admission to the program, but also a continuous risk assessment in accordance with the existing conditions. In accordance with the Law on Prevention and Protection from Violence against Women and Family Violence, the Ministry of Labour and Social Policy adopted a rulebook that regulates the way in which the procedure for assessing the risk of serious danger to life and physical and psychological integrity of the victim is carried out, including the risk of repeated violence.<sup>77</sup> In addition to other measures, experts are also taking measures and activities towards the perpetrator of violence that aim at changing his behaviour and preventing future violence. However, **the Procedure for the Treatment of Perpetrators does not enforce a risk assessment prior to the admission and during the treatment within the program.** The SOPs imply that all service providers should exercise a standardized practice that necessitates to clearly identify the culpability and to define the processes that focus on the needs of victims, especially their safety and prevention of future violence.<sup>78</sup> **The absence of procedures that regulate the treatment of the responsible institutions in cases of violence in a multi-sectoral way results in lack of coordination and real risk assessment, which, as the above example illustrates, can have fatal consequences for the victim.**<sup>79</sup>

**Treatment programmes for perpetrators must not turn into a fora where we try to reconcile partners, counsel partners, or conduct an anger management treatment.** In practice, this often occurs in social work centres and, after domestic violence is being reported, professional workers organize a joint meeting in which they try to reconcile the partners and "relativize" violence as disrupted partner relations. Similarly, **police often reacts with the intention of reconciling partners, which is why a significant number of reports of domestic violence are recorded as complaints.** During the period between April and June 2020, the Ministry of Interior recorded a total of 985 complaints, which is 34% more compared to 2019, or 50% more compared to the same period in 2018, while the total number of crimes

<sup>76</sup> PUBLIC INSTITUTION INSTITUTE FOR SOCIAL AFFAIRS. STANDARDS AND PROCEDURES FOR THE FUNCTIONING OF THE COUNSELLING CENTRE FOR PERPETRATORS OF FAMILY VIOLENCE, 2018.

<sup>77</sup> OFFICIAL GAZETTE OF RSM NO. 240/2021. RULES ON HOW TO CARRY OUT A RISK ASSESSMENT OF SERIOUS DANGER TO THE LIFE AND PHYSICAL AND MENTAL INTEGRITY OF THE VICTIM AND MEMBERS OF HER FAMILY AND THE RISK OF REPEATED VIOLENCE, APPROPRIATE RISK MANAGEMENT, IMPLEMENTATION AND MONITORING OF MEASURES TO PROTECT WOMEN VICTIMS OF GENDER-BASED VIOLENCE AND VICTIMS OF DOMESTIC VIOLENCE, TAKEN OVER BY THE SOCIAL WORK CENTRE AND THE NECESSARY FORMS.

<sup>78</sup> WAVE – WOMEN AGAINST VIOLENCE EUROPE. WAVE- HANDBOOK. PREVENTION AND SUPPORT STANDARDS FOR WOMEN SURVIVORS OF VIOLENCE, 2017.

<sup>79</sup> KAROVSKA CEMERSKA, D. HERA (2022). REPORT ON THE MONITORING OF THE IMPLEMENTATION OF THE ACTION PLAN FOR THE IMPLEMENTATION OF THE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE; AVIALABLE AT: [HTTPS://HERA.ORG.MK/IZVESHTAJ-MONITORING-AP-ISTANBULSKA-KONVENCIIJA/](https://hera.org.mk/izveshtaj-monitoring-ap-istanbulska-konvencija/)

related to domestic violence has decreased compared to the previous years.<sup>80</sup> The Ministry of Interior constantly records a significantly higher number of complaints for cases of domestic violence in relation to crimes, not only in the period of the peak of the pandemic with Covid-19. Accordingly, in 2019, a total of 3196 complaints were registered against 798 criminal acts against perpetrators of domestic violence, and in 2020, 3759 complaints were registered against 992 criminal acts against perpetrators of criminal acts.<sup>81</sup> The number of criminal proceedings initiated before the public prosecutor's offices is even smaller. During 2019, a total of 276 reports of domestic violence were submitted to 11 prosecutor's offices on the territory of the country, and 250 reports of domestic violence in 2020. In the same period, a total of 346 criminal proceedings against perpetrators of domestic violence were initiated in 25 courts in 2019 and 355 criminal proceedings against perpetrators of domestic violence in 2020. The data obtained indicate that a significantly smaller proportion of reported crimes against perpetrators of domestic violence receive court rulings, especially given the fact that in some cases victims give up criminal prosecution of the perpetrator and withdraw the motion for prosecution which results in lack of punishment of the reported perpetrators.

Some of the perpetrators of gender-based violence are persons addicted to psychoactive substances (alcohol, drugs, medications) and they require a specialised treatment that cannot and should not be given to them within the general violence perpetrator treatment program. According to the OSCE study, one-fifth of the most serious incidents were committed by someone who was under the influence of alcohol or drugs,<sup>82</sup> wherein alcohol and opioid addiction often occurs as an additional motive, and it is usually combined with conflict relationships or psychological disorders in the case of committing femicides.<sup>83</sup> Addiction to alcohol or other psychoactive substances excludes perpetrators from the psychosocial treatment of perpetrators of domestic violence, but it must not be a reason not to work with these perpetrators. Good practice imposes an obligation to link and establish cooperation between addiction treatment programs and perpetrator treatment programs by the means of written protocols and precisely defined methods and stages of action. There is currently no written protocol or guideline to assist professionals in dealing with and treating perpetrators of violence who use and are addicted to psychoactive substances.

**IMPLEMENTATION OF THE TEMPORARY MEASURE FOR THE TREATMENT OF PERPETRATORS**  
**Effective protection of women who have survived violence is conditioned by the way temporary protection measures are implemented.** Under the Law on Prevention and Protection from Violence against Women and Family Violence, and upon a request by the Centre for Social Work or a submitted appeal by the victim, among the rest, the court can issue a temporary measure for the perpetrator – a mandatory counselling in a counselling centre for perpetrators of violence against women or domestic violence. Data from the civic courts (or their

80 N. BOSKOVA, D. ANTIC, R. BOGATINOVA AND M. GLIGUROSKA. HUMAN RIGHTS OF MARGINALISED COMMUNITIES UNDER COVID-19 CONDITIONS: REPORT ON THE IMPACT THAT MEASURES TO DEAL WITH COVID-19 HAVE ON THE HUMAN RIGHTS OF MARGINALISED COMMUNITIES, 2021, P. 24.

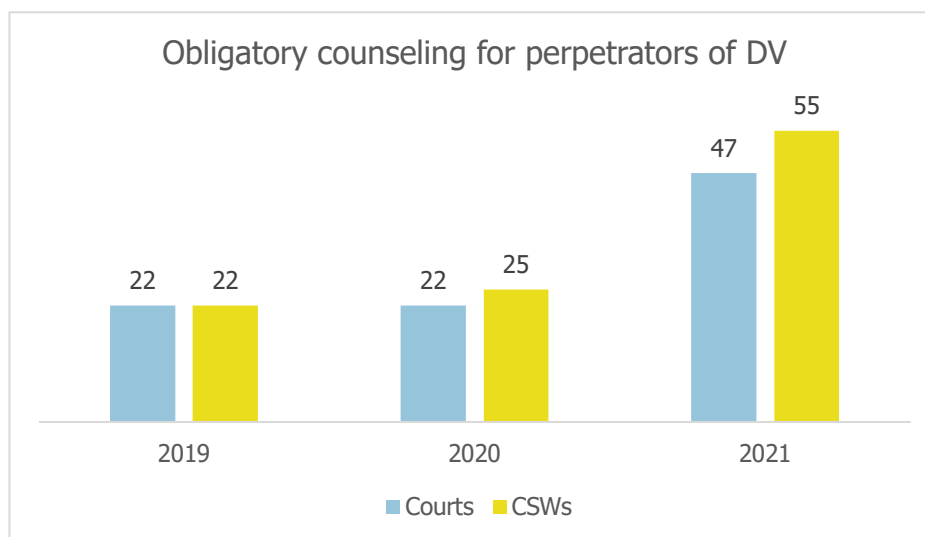
81 MINISTRY OF INTERIOR. DECISION ON THE REPLY OF THE REQUEST FOR FREEDOM OF INFORMATION NO. 16.1.2.-1530/1 FROM 16.12.2021.

82 ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE. WELLBEING AND SAFETY OF WOMEN: AN OSCE SURVEY ON VIOLENCE AGAINST WOMEN IN NORTH MACEDONIA, 2019.

83 IS. DIMUSHEVSKA. FEMICIDES IN THE REPUBLIC OF NORTH MACEDONIA, UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP) IN SKOPJE 2021.

respective regional units), covering the period 2019-2021, are pretty scarce and reveal sporadic issuing of measures for a mandatory visit to a counselling centre for perpetrators. According to the data from 26 civil courts (departments) in the period 2019-2021, a total of 1494 temporary measures for protection of victims of domestic violence were issued, and only 11 courts issued measures to a measure - mandatory counselling in centre for perpetrators. Most of these proposals were submitted by the competent centres for social work, and about 3% of the total submitted proposals are for issuing a temporary measure - mandatory counselling the centre for perpetrators.

According to the data received from the Ministry of Labour and Social Policy, in 2019 a total of 22 proposals were submitted for issuing a temporary measure mandatory counselling in a centre for perpetrators and the same number were accepted and issues by the courts; in 2020, 25 temporary measures were proposed, and 22 temporary measures were issues, while in 2021, 55 measures were proposed, and the courts issued 47 temporary measures, mandatory visit to a counselling centre for perpetrators.<sup>84</sup> Compared to the number of advised perpetrators in the counselling centre for perpetrators of HERA in the same period, it can be concluded that the perpetrators attend counselling centre not only on the basis of a court decision, but also by referral from another entity or on their own initiative. Namely, only HERA's counselling centre provided counselling for 45 perpetrators in 2019; for 65 perpetrators in 2020 and 51 perpetrators in 2021.<sup>85</sup>



**FIGURE 9. OBLIGATORY COUNSELLING FOR PERPETRATORS OF VAW AND DV- NUMBER OF SUGGESTED TEMPORARY MEASURES FOR PROTECTION BY CSW AND NUMBER OF ISSUED TEMPORARY MEASURES BY THE COURT.**

Counselling centres for domestic violence perpetrators are responsible for carrying out the provisional measure imposed by the court, and they are also responsible to carry out a court

<sup>84</sup> MINISTRY OF LABOR AND SOCIAL POLICY. REPLY ON THE REQUEST FOR THE FREEDOM OF INFORMATION NO. 14-1576/5 FROM 23.03.2022 .

<sup>85</sup> HEALTH EDUCATION AND RESEARCH ASSOCIATION, ANNUAL REPORTS. MORE ON: [HTTPS://HERA.ORG.MK/GODISHNI-IZVESTAJI/?LANG=EN](https://hera.org.mk/godishni-izvestaji/?lang=en)

decision on protective supervision in respect to the imposed obligation for the convicted person that committed a crime of gender-based violence and domestic violence to enter a programme for working with convicts of crimes committed during the execution of gender-based violence and domestic violence, as well as to inform the court on the fulfilment of this responsibility.<sup>86</sup> As already noted, the SOPs and the procedures for the functioning of the counselling centres for domestic violence perpetrators are exclusively about working with domestic violence perpetrators, so there is a legal vacuum for implementing this provision of the Law on Prevention and Protection from Violence against Women and Family Violence.

The implementation of the provisional measure – treatment of a perpetrator of domestic violence - is regulated by a Rulebook. Each centre for social work is obliged to monitor the implementation of the issued temporary measure and, for that purpose, to cooperate with citizens, legal entities, institutions, and associations in order to collect timely and precise information on the effects of the enforcement of the measure and to inform the court appropriately. The provider of the service for psychosocial treatment of perpetrators of violence against women and domestic violence has to inform the Centre for Social Work, at least once a month, about the course of the treatment and after the treatment it also has to submit a report on the effects of the treatment and the change of the eventual change in the perpetrator's behaviour.<sup>87</sup> In the event of non-compliance and/or violation of the provisional measure imposed, the Centre for Social Work is obliged to immediately notify the court. According to the standards established by the Istanbul Convention, the victim must be informed about this for the purpose of protecting her security and security. The victim should also report to the Centre for Social Work in case of any non-compliance and/or violation of the issued temporary protection measure.

## SEXUAL VIOLENCE PERPETRATOR TREATMENT PROGRAMS

Sexual violence is one of the most severe forms of gender-based violence against women and a serious public health problem. Forced sexual intercourse is an expression of power and dominance over the victim, and sometimes it serves to punish the victim for overstepping the generally accepted social and moral code.<sup>88</sup> According to the Istanbul Convention, the state is obliged to implement the necessary legal reforms to recognise all forms of sexual violence as criminal-legal acts, while establishing emergency protection services for victims, at the same time, as well as long-term treatment and support for victims of sexual violence. For a long time, decision-makers have defied to align criminal legislation with international standards in the domain of criminalising all forms of gender-based violence, especially sexual violence. As early as in 2013, the Committee for the Elimination of All Forms of Discrimination, as part of the Conclusions on the republic of North Macedonia, highlighted their concerns about the absence of a specific and comprehensive law covering all forms of violence especially sexual violence and, therefore, recommended amending the Criminal Code in a way that would allow for stipulating protection, especially for

<sup>86</sup> OFFICIAL GAZETTE OF SRM NO. 24/2021. LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND FAMILY VIOLENCE, ARTICLE 73.

<sup>87</sup> OFFICIAL GAZETTE OF RSM NO. 248/2021. RULES ON THE WAY IN WHICH THE PROTECTION MEASURES IMPOSED ARE FOLLOWED, ARTICLE 11.

<sup>88</sup> WORLD HEALTH ORGANISATION. FACTS ABOUT SEXUAL VIOLENCE. AVAILABLE AT:

[HTTPS://WWW.WHO.INT/VIOLENCE\\_INJURY\\_PREVENTION/VIOLENCE/WORLD\\_REPORT/FACTSHEETS/EN/SEXUAL\\_VIOLENCE\\_MAC.PDF](https://www.who.int/violence_injury_prevention/violence/world_report/factsheets/en/sexual_violence_mac.pdf)

victims of sexual violence.<sup>89</sup> Consequently, in 2018, the Committee stressed the need to prioritise the adoption of amendments and supplementing the Criminal Code in a way that would prohibit all forms of gender-based violence occurring in a marital and extramarital community, especially rape. The Committee also recommended that the state needs to revise the rape crime, dismissing penetration as a key element and formulating lack of consent as the main hallmark for this crime.<sup>90</sup> At the moment of concluding this analysis, there was an ongoing process that tried to address these recommendations and the Assembly of the Republic of North Macedonia has not yet adopted the submitted amendments to the Criminal Code, which could allow for a partial alignment of the legal framework with the Istanbul Convention and the Convention on the Elimination of All Forms of Discrimination against Women.

Efforts to prevent sexual violence should largely focus on the victim and her needs to reduce trauma and speed up recovery. Istanbul Convention particularly underscores the obligation to establish or support specially designed programmes aimed at treating convicted perpetrators of all forms of sexual violence in order to reduce relapse in the execution of crimes against sexual freedom. The treatment of perpetrators of sexual violence should be available in prisons where these persons are serving a prison sentence or in a community where they will continue to use the services after serving their sentence.

Services for long-term work with victims of sexual violence, as well as programmes for the treatment of perpetrators of sexual violence, are lacking in North Macedonia. In 2018, the first three referral centres for victims of rape were opened in Skopje, Tetovo, and Kumanovo. These centres are part of the gynaecological-obstetric clinics in these three cities and are run by the Ministry of Health. These centres are referral centres, meaning that when a victim of rape is admitted, medical care is provided, and the case will be reported to the police. These three referral centres are the only ones at a national level exclusively designed to support women victims of rape.<sup>91</sup> Unofficial statistics showed that only 6 women visited the centre in Skopje, and centres in Kumanovo and Tetovo have had no reports since their establishment. This is likely because there is no public awareness about the type of support these services provide, nor any national campaigns about the different forms of sexual violence that women might experience. There are no centres in the Republic of North Macedonia that provide temporary accommodation for victims of sexual violence. There is one centre in North Macedonia that provides long-term accommodation for victims of sexual violence and psycho-social support, but this shelter also accommodates victims of trafficking. This shelter has a capacity of 10 beds. The centre is run by the NGO Open Gate Macedonia (La Strada), located in Skopje. The shelter is partially financed by the state, and other funds are secured by other donors. They closely cooperate with relevant institutions (Ministry of Labour and Social Policy and Ministry of Interior) and have developed internal protocols for cooperation and referrals that are not publicly accessible because these

89 COMMITTEE ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN. CONCLUDING OBSERVATIONS ON THE COMBINED FOURTH AND FIFTH PERIODIC REPORT OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, ADOPTED BY THE COMMITTEE AT ITS FIFTY-FOURTH SESSION (11 FEBRUARY–1 MARCH 2013) CEDAW/C/MKD/CO/4-5, A COUPLE. 22 AND 23.

90 COMMITTEE ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN. CONCLUDING OBSERVATIONS ON THE SIXTH PERIODIC REPORT OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, CEDAW/C/MKD/CO/6, 2018, PAR.24

91 WOMEN AGAINST VIOLENCE EUROPEAN NETWORK (WAVE), MAPPING OF SEXUAL VIOLENCE SERVICES IN THE WESTERN BALKANS AND TURKEY, 2019; AVAILABLE AT: [HTTPS://CSSPLATFORM.ORG/WP-CONTENT/UPLOADS/2019/10/CSSPWAVE\\_SVREPORT190927\\_WEB.PDF](https://cssplatform.org/wp-content/uploads/2019/10/CSSPWAVE_SVREPORT190927_WEB.PDF)



documents are not officially adopted.<sup>92</sup> No other services for either perpetrators or victims of different forms of sexual violence, including rape, exist in the country. Such service placement cannot be considered as available and accessible protection of victims of sexual violence nor as appropriate prevention of violence.

## OTHER PREVENTIVE MEASURES

The prevention and protection of gender-based violence against women and domestic violence is only possible through a holistic approach and cooperation and coordination among the stakeholders. Public administrative institutions, local self-government units, legal entities from the private sector, political parties, media, associations and foundations, informal groups, social partners, trade unions, religious organizations and other entities are obliged to take preventive measures to raise awareness of all forms of gender-based violence, promoting gender equality and eliminating gender role stereotypes based on the culture, customs, religion, traditions and other practices based on the idea of subordination of women to men.<sup>93</sup> They are obliged to implement general preventive measures in the process of planning and implementation of activities, to collect and publish data and useful information on prevention of violence, provide mutual coordination in the promotion and prevention of gender-based violence and domestic violence, and implement campaigns to raise the awareness on the causes and consequences of the violence against women.

According to the Action Plan, the Government, the Ministry of Labour and Social Policy, local self-government units in cooperation with other stakeholders have an obligation to implement national media campaign to raise awareness on all forms of gender-based violence; to promote gender equality and eliminate gender stereotypes on gender roles. With the support of the UNFPA Office in North Macedonia, through a Project funded by the Embassy of the United Kingdom in the Republic of North Macedonia, a Communication Strategy is being prepared. It will help the Government to communicate information with the public and institutions in systematic and organized manner regarding the recognition and prevention of gender-based violence against women and domestic violence. Through various communication tools the public will be informed on the available services for the victims of gender-based violence and domestic violence.

An important aspect of the prevention is the establishment of a system for monitoring of the situation with the gender-based violence against women and creation of policies and measures in accordance with the results obtained. According to the Istanbul Convention and the LPPVAWDV, state institutions are obliged to collect data disaggregated by gender of perpetrator and the victim, relation between the perpetrator and the victim, the location where the violence occurred, the form of violence and other data that will clearly reflect the situation and will inform the public about the prevalence of the gender-based violence against women. An integrated system for collection, processing and publishing of these types of data is underway.<sup>94</sup>

<sup>92</sup> IBID

<sup>93</sup> OFFICIAL GAZETTE OF REPUBLIC OF NORTH MACEDONIA NO. 24/2021. LAW ON PREVENTION AND PROTECTION OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, ARTICLE 33.

<sup>94</sup> PLANNING AND UNIFICATION WORKSHOP OF ALL KEY STAKEHOLDERS WORKING IN THE FIELD OF PREVENTION AND PROTECTION AGAINST GENDER-BASED VIOLENCE IN THE NORTH MACEDONIA, 23 MARCH 2022, SKOPJE.

The LPPVAWDV determines the measures that each institution and organization should take in accordance with its area of work. In the field of education, the Ministry of Education and Science has an obligation to introduce content in educational programs that promote gender equality, non-violent conflict resolution, respect for diversity, information on all forms of gender-based violence and comprehensive sex education at all stages of education, and the Ministry of Labor and Social Policy in the programs in the preschool institutions. Numerous analyzes indicate that textbooks and teaching materials which are used at all levels of education contain discriminatory and harassing content that promotes and justifies violence against women. It is a framework through which children's views on gender roles of women and men, in the family and in the community are traced.<sup>95</sup> Young people in the Republic of North Macedonia show high compliance with traditional views on the role of women (mother, wife, expert) in the family.<sup>96</sup> In this context, education should play a key role in providing a sustainable barrier to all types of inequality, including gender equality. We cannot expect a society in which gender equality is respected and in which there is a small prevalence of gender-based violence, if these values are not visible in education or, if the education promotes gender stereotypes and the idea of inferiority of women compared to men. It is similar with the representation of other groups in education, and especially for intersectional female identities, such as women with disabilities, Roma, lesbians, bisexuals, transgender women, black women, women from ethnic minorities.<sup>97</sup> The Action plan for implementation of the Istanbul Convention envisages organization of trainings for teachers and professionals from primary and secondary education, educators and caregivers in preschool institutions, but until the finalization of this analysis the process of preparation of modules for basic prevention training has not been completed. According to the Operational Plan for implementation of the activities under the competence of the Ministry of Education and Science for 2019 in relation to the National Action Plan for implementation of the Convention on Prevention and Combating Violence against Women and Domestic Violence of the Republic of Macedonia, trainings were conducted for teachers from pilot schools that introduces comprehensive sex education curricula.<sup>98</sup>

The Ministry of Justice in its Operational Plan for 2019 for implementation of the Action Plan for implementation of the Convention for Prevention and Combating Violence against Women and Domestic Violence of the Republic of Macedonia 2018-2023 does not provide implementation of general preventive measures, except for policies that aim to align the domestic legal framework with the obligations from international and regional standards for prevention and protection from gender-based violence against women. In the context of preventive activities, it is important to emphasize the Amendments to the Court Rules of Procedure which will provide a special record

95 SIMONOVSKA S. ANALYSIS ON THE PRESENCE OF GENDER STEREOTYPES IN EDUCATIONAL MATERIALS IN MACEDONIAN LANGUAGE WITH RECOMMENDATIONS FOR DECISION MAKERS, 2020. AVAILABLE AT: [HTTPS://BIT.LY/3UWMMRM](https://bit.ly/3UWMMRM) GENDER ANALYSIS OF TEXTBOOKS IN PRIMARY EDUCATION. PUBLIC INTEREST LAWSUIT FOR PROTECTION OF DISCRIMINATION. MORE ON: [HTTPS://AKADEMIK.MK/PRVA-TUZHBA-PROTIV-UCHEBNIK-OD-VISOKO-OBRAZOVANIE-VRZ-OSNOVA-NA-NOVIOT-ZAKON-ZA-SPRECHUVANE-I-ZASHTITA-OD-DISKRIMINATSJA/](https://akademik.mk/prva-tuzhba-protiv-ucbenik-od-visoko-obrazovanie-vrz-osnova-na-noviot-zakon-za-sprechuvane-i-zashtita-od-diskriminatsija/)

96 KJOSTAROVA U.L. DO WE HAVE THE WINNER? GENDER INEQUALITIES IN HEALTH AND LIFE PERSPECTIVES OF THE ADOLESCENTS IN NORTH MACEDONIA, 2020, P. 27. AVAILABLE AT: [HTTPS://BIT.LY/34NYAKP](https://bit.ly/34NYAKP)

97 DRNDAREVSKA D. ANALYSIS OF THE LEGAL FRAMEWORK IN THE AREA OF THE EDUCATION RELATED TO PREVENTION AND PROTECTION OF DISCRIMINATION AND VIOLENCE, WITH FOCUS ON GENDER-BASED VIOLENCE AND DISCRIMINATION BASED ON GENDER, SEXUAL ORIENTATION AND GENDER IDENTITY, 2021. ДОСТАПНА НА: [HTTPS://BIT.LY/30XEDNW](https://bit.ly/30XEDNW)

98 MINISTRY OF EDUCATION AND SCIENCE. MINUTE NO. 1 03-124/1 FROM 05.01.2022.



of cases of violence against women in the courts, data that will serve for proper planning of activities and measures to prevent violence.<sup>99</sup>

At the moment of conducting this analysis, the Ministry of Labour and Social Policy was drafting the Operative Plan for the Implementation of the National Action Plan for Implementation of the Convention for Prevention and Combating Violence against Women and Domestic Violence of the Republic of Macedonia for 2022.<sup>100</sup> Until the finalization of this analysis, no information was received by the Ministry of Health on the implemented preventive activities in accordance with the Action Plan for Implementation of the Convention on Prevention and Combating Violence against Women and Domestic Violence of the Republic of Macedonia 2018-2023.

In addition to the general preventive measures, media outlets have an obligation to create and implement informative and educational programs to raise awareness among the public about all forms of gender-based violence, to promote gender equality and eliminate stereotypes about the traditional gender roles. The obligation of the State is to ensure that culture, customs, religion, and tradition cannot be a justification for certain types of violence and harmful practices against women. According to the Action Plan for the implementation of the Istanbul Convention, it is necessary to conduct trainings for representatives of the Ethics Council, the Agency for Audio and Audio-visual Media Services and media professionals on how to report on issues related to gender-based violence. According to the information received from the MLSP, the process of preparation of modules for the basic and specialized training of the professionals in all institutions that have the obligation to implement activities for prevention and protection from violence against women is ongoing and it is implemented with the support of foreign donors.<sup>101</sup>

The churches, religious communities and religious groups are obliged to carry out their activities in accordance with the laws, international human rights standards. The law may restrict the freedom of expression of religion or belief if it is necessary to protect the rights and freedoms of others. The LPPVAWDV is a national legal document that for the first time recognizes churches, religious communities, and religious groups as partners in the prevention of violence against women and domestic violence and at the same time imposes an obligation to refrain from statements or announcements that justify violence against women. Religious communities and groups play a key role in preventing gender-based violence that is justified as part of a community's culture, religion, or tradition, such as "honour killings".

99 MINISTRY OF JUSTICE DECISION UP1 BP. 19-3143/2021.

100 REPLY ON THE REQUEST FOR FREEDOM OF INFORMATION NO. 14-1576/5 FROM 23.03.2022.

101 PLANNING AND UNIFICATION WORKSHOP OF ALL KEY STAKEHOLDERS WORKING IN THE FIELD OF PREVENTION AND PROTECTION AGAINST GENDER-BASED VIOLENCE IN THE NORTH MACEDONIA, 23 MARCH 2022, SKOPJE.

## ADMINISTRATIVE DATA ON DOMESTIC VIOLENCE

The LPPVAWDV mandates all state administration bodies, courts, public prosecutor's office, local self-government units, legal entities that perform public administrations determined by law, as well as associations, to collect statistical and administrative data on the situation with gender-based violence (GBV) against women and domestic violence, based on sex, gender, age, community affiliation, residence and other data determined by the GBV law or other legislation, in accordance with the provisions of the Law on Personal Data Protection.<sup>102</sup>

The LPPVAWDV prescribes special data collection responsibilities for the national courts and the Public Prosecutor's Office; they are to establish and keep records on GBV and domestic violence cases<sup>103</sup>, including data disaggregated by sex and by gender<sup>104</sup>.

The LPPVAWDV also foresees the daily use of a national interoperability platform – Macedonian Information Magistral (MIM) by the Ministry of Labour and Social Policy (MLSP) for downloading the collected data.<sup>105</sup> The competent bodies for data collection which are not users of MIM have an obligation to develop web services for exchange and transfer of the collected data on GBV, and also to publish the data on their official websites.<sup>106</sup> Furthermore, the MLSP has a responsibility to analyse and process statistically the aforementioned data in its system for social rights and services. The analyses and reports that don't include personal data protected by the Law on personal data protection should be published on a yearly basis by the MLSP.<sup>107</sup> Other responsible institutions and organisations should also process and publish the collected data on their websites, as well as on the Central catalogue of public sector data.<sup>108</sup>

Despite legal obligation, most state institutions do not publish regularly GBV data and some even lack IT environment that will enable them to log gender disaggregated data. The MIM is not operative<sup>109</sup> and there are indications that reliable and updated data on GBV lacks<sup>110</sup>.

To evaluate the state of play, Freedom of Information Requests (FOI) were sent to relevant state institutions that have a mandate to collect GBV data and the next sections present the obtained data.

102 LAW ON PREVENTION AND PROTECTION FORM VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE. OFFICIAL GAZETTE OF THE REPUBLIC OF NORTH MACEDONIA NO.24/2021. AVAILABLE AT: [HTTPS://BIT.LY/2UEMJRU](https://bit.ly/2UEMJRU). ART.11 PARA.1, ART.24 AND ART.28 PARA.1.

103 IBID. ART.29 AND 30

104 THE GBV LAW CONTAINS DEFINITIONS ON BOTH SEX AND GENDER. SEX IS DEFINED AS THE PHYSICAL CHARACTERISTICS OF THE INDIVIDUAL (REPRODUCTIVE SYSTEM, CHROMOSOMES, HORMONES) ACCORDING TO WHICH SEX IS ASSIGNED AT BIRTH, BASED ON A COMBINATION OF BODILY CHARACTERISTICS AND INTERNAL REPRODUCTIVE ORGANS. GENDER, ACCORDING TO THE GBV LAW, REFERS TO THE SOCIALLY CONSTRUCTED ROLES, BEHAVIOURS, ACTIVITIES AND ATTRIBUTES WHICH A SOCIETY CONSIDERS APPROPRIATE FOR WOMEN AND MEN.

105 IBID. ART.28 PARA.2.

106 IBID. ART.28 PARA.3.

107 IBID. ART.28 PARA.4.

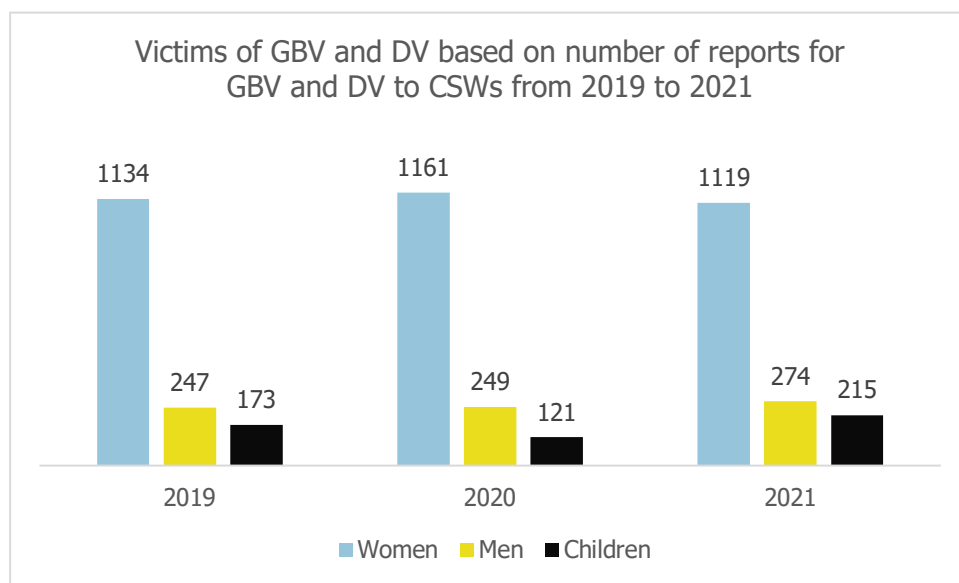
108 IBID. ART.28 PARA.5.

109 GENDER EQUALITY PLATFORM (2022). SHADOW REPORT ON THE IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE IN NORTH MACEDONIA

110 COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, CONCLUDING OBSERVATIONS ON THE SIXTH PERIODIC REPORT OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA CEDAW/C/MKD/CO/6 (14.11.2018)

## MINISTRY OF LABOUR AND SOCIAL POLICY

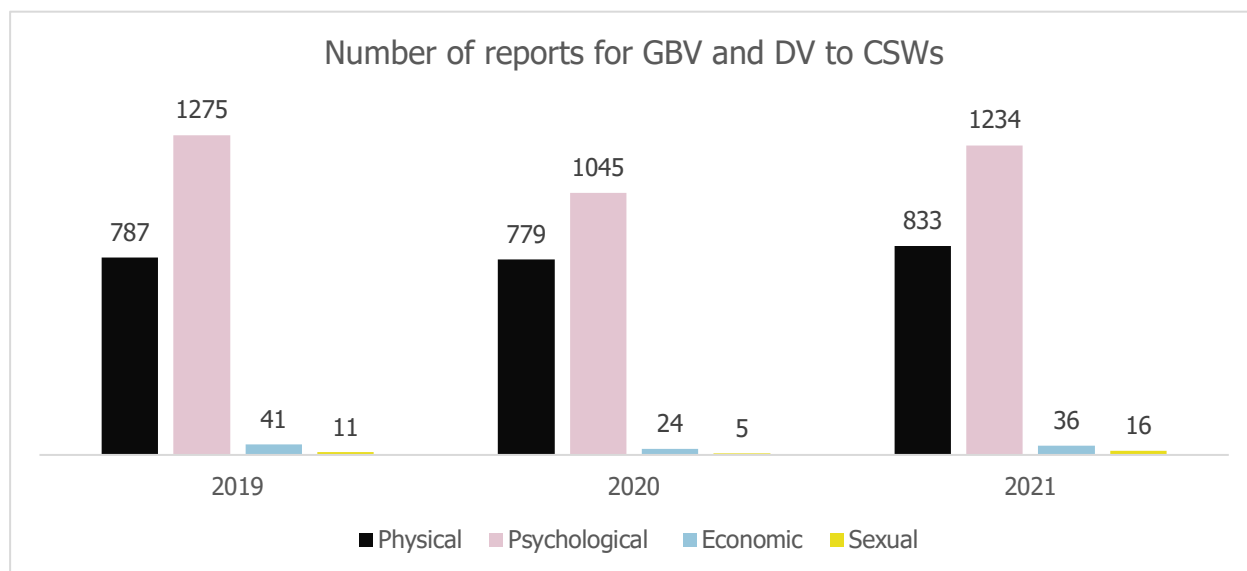
As described above, MLSP is responsible to analyse GBV data within its system for social rights and services. Based on cumulative data on reports from all CSWs, in the last three years on average there are 1564 recorded victims of GBV and DV. On average, 73% are women, 16% are men and 11% are children.



**FIGURE 10. VICTIMS OF GBV AND DV BASED ON NUMBER OF REPORTS FOR GBV AND DV TO CSWs FROM 2019 TO 2021, DATA OBTAINED FORM MLSP**

In 2020 the total number of victims dropped for 1,5% whereas in 2021 it increased for 5%. Comparably large variations are observed in the number of reported children victims of GBV and DV- in 2020 the number decreased for 30%, whereas in 2021 raised for 78%.

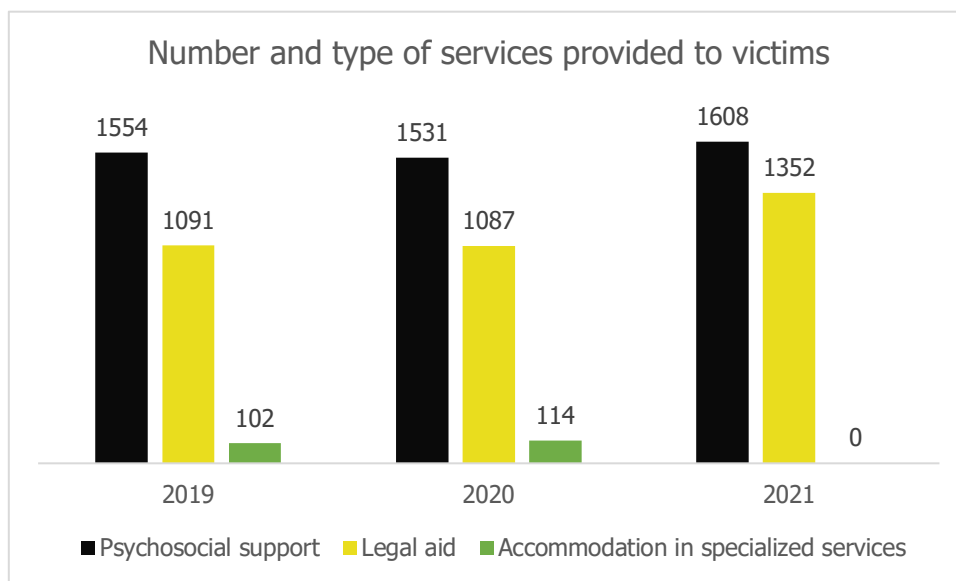
The most typically reported kind of violence is psychological violence, which may be related to the fact that psychological violence is often present and recorded as an add-on to other types of violence.



**FIGURE 11. NUMBER OF REPORTS FOR GBV AND DV, DISAGGREGATED BY TYPE OF VIOLENCE. DATA OBTAINED FROM MLSP**

On average 58% of the reported violence in CSWs is psychological, 40% is physical, 2% is economic and 1% - sexual violence. Again in 2020, reports have dropped for 18% in psychological violence, 41% in economic and 55% in sexual violence. However, in 2021, the numbers raised again. There is no nationally representative study that further explores the causalities behind these fluctuations and the eventual impact of the pandemic with Covid-19, and we cannot make any conclusions based on these data only.

When it comes to provision of specialised services, the most commonly offered service is psychosocial support (56% of provided services) and it is followed by legal aid (46% of provided services), while accommodation in specialized services marks mere 3% of all provided services.

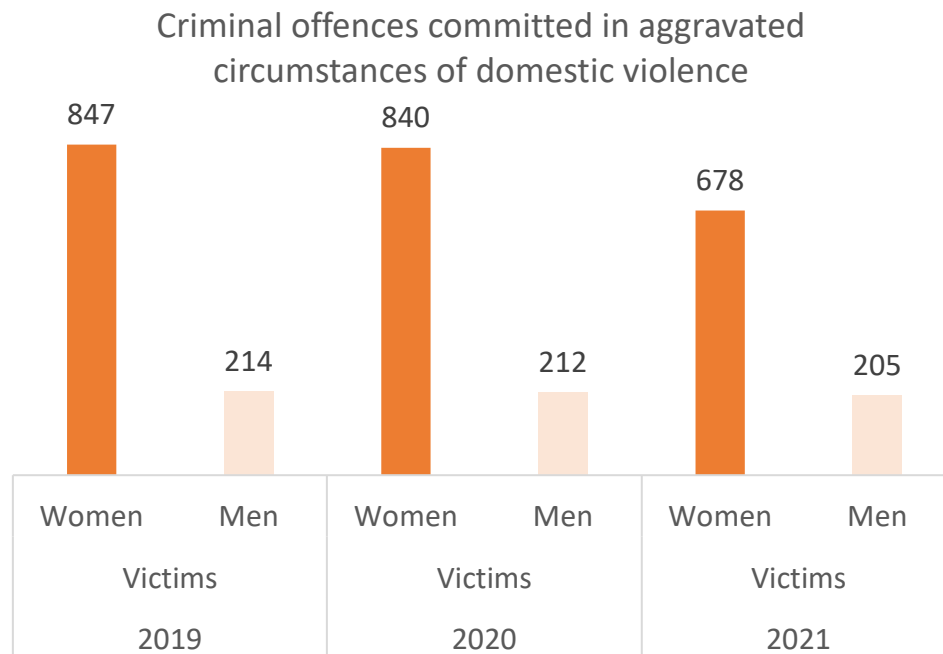


**FIGURE 12. SERVICES PROVIDED TO VICTIMS OF GBV AND DV, DISAGGREGATED BY TYPE. DATA OBTAINED FROM MLSP**

Furthermore, during the last three years, in total, 185 victims of DV have executed their financial rights for social protection according to the Law on Social Protection. More precisely, 36 victims fulfilled their right in 2019, 72 in 2020 and 71 in 2021.

#### MINISTRY OF INTERNAL AFFAIRS

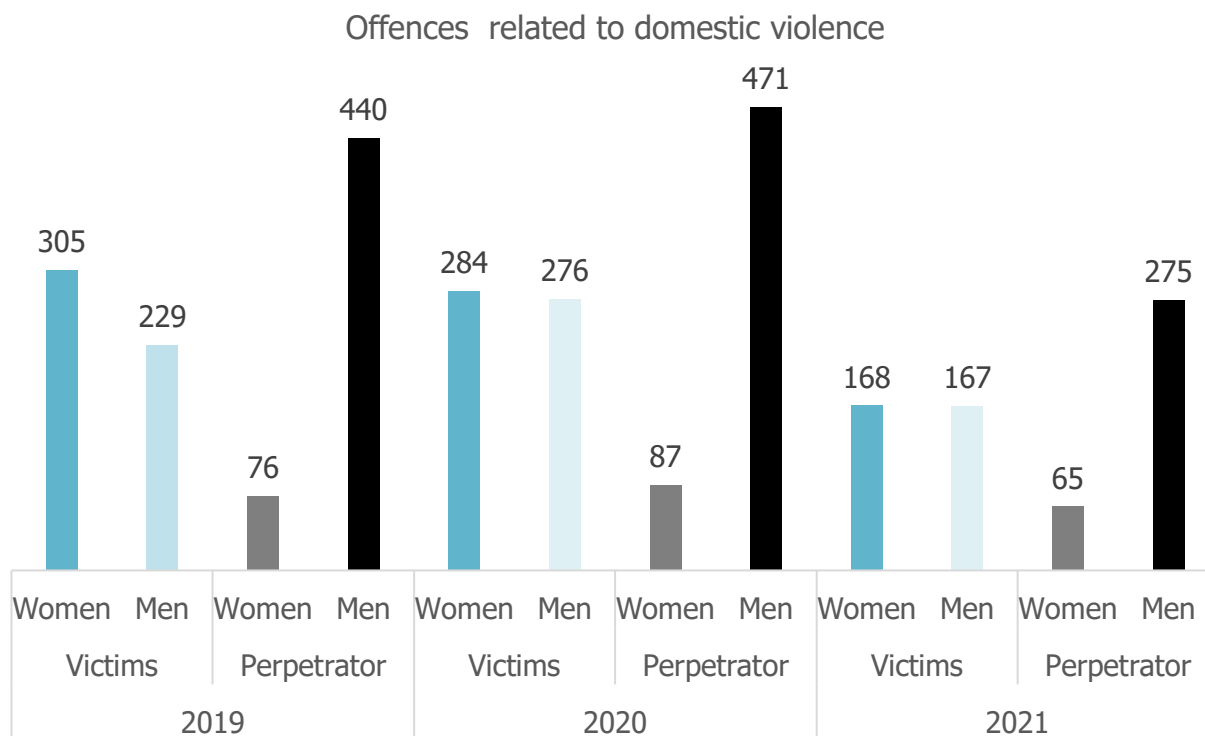
The official response of the Ministry of Internal Affairs states that their records are limited to information on domestic violence. Based on the data obtained, in the three-year period from 2019 to 2021, there is a total record of 2996 victims of criminal offences committed in aggravated circumstances of domestic violence. Crimes related to domestic violence include murder, attempt for murder, bodily harm, grievous bodily harm, security threats etc. These data suggest a drop in 2021 but it must be considered that the data for 2021 does not cover the full year (only until September 2021). The largest share of reported crimes is related to grievous bodily harm (article 123) and security threats (article 144). On average, 79% of all the victims are women. The MIA does not collect gender-disaggregated data on perpetrators of crimes related to DV.



*\*For 2021 the data is until September*

**FIGURE 13. VICTIMS OF CRIMINAL OFFENCES COMMITTED IN AGGRAVATED CIRCUMSTANCES OF DOMESTIC VIOLENCE, DISAGGREGATED BY GENDER, BASED ON NUMBER OF REPORTS TO MIA**

Offences related to domestic violence include harassing another person in an apartment, physical assault, participation in a fight, scolding and shouting in public etc.



*\*For 2021 the data is until September*

Whereas for crimes related to DV there are no gender disaggregated data on perpetrators, for offences related to DV, MIA shared data for both perpetrators and victims. In the three-year period, a total of 1429 victims and 1414 perpetrators of offences related to domestic violence were recorded. Again, the drop in 2021 relates to the fact that the data does not cover the full year. The largest share among recorded offences have harassing another in an apartment (article 47) and physical assault (article 12). For the three-year period, women were on average 53% of the victims and men are 84% the perpetrators.<sup>111</sup>

## COURTS AND PUBLIC PROSECUTORS

For the purpose of collecting data on courts and public prosecutor offices, FOI requests were sent to all 27 primary courts and 22 public prosecution offices. Responses were received from 24 courts (89%) and 11 public prosecutors (50%). Based on data from 24 primary courts, in the three-years period in total 1082 criminal proceedings were recorded, which leads to the number of 361 as an annual average.

<sup>111</sup> This 'three-year' average is an approximation that doesn't include data from the last quarter of 2021 (they were not available to be shared by MIA at the time of conclusion of the data collecting and processing activities behind this analysis).

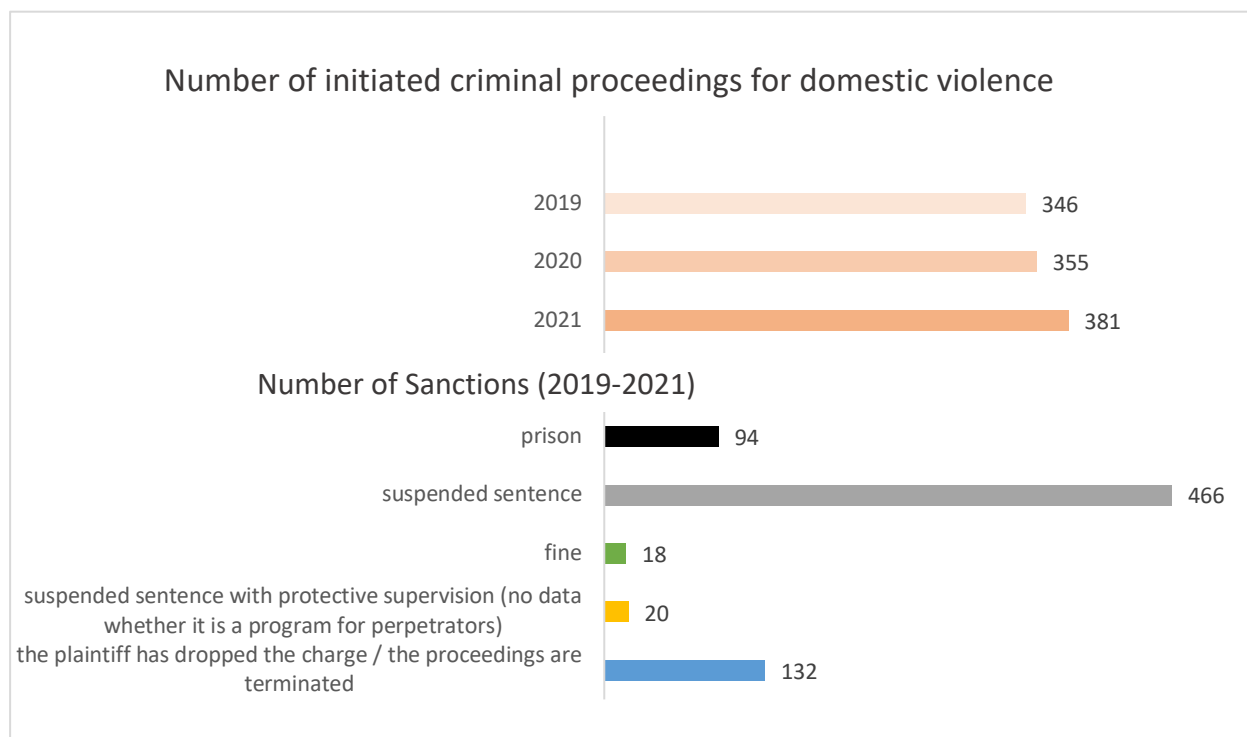
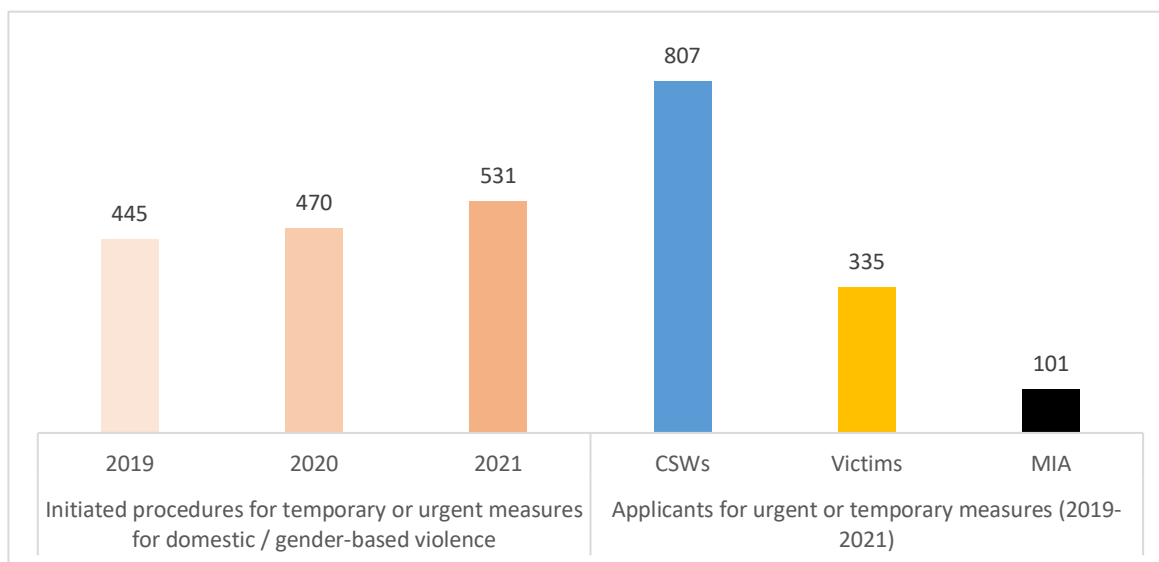


FIGURE 14. CRIMINAL PROCEEDINGS BASED ON DATA OBTAINED FROM 24 PRIMARY COURTS

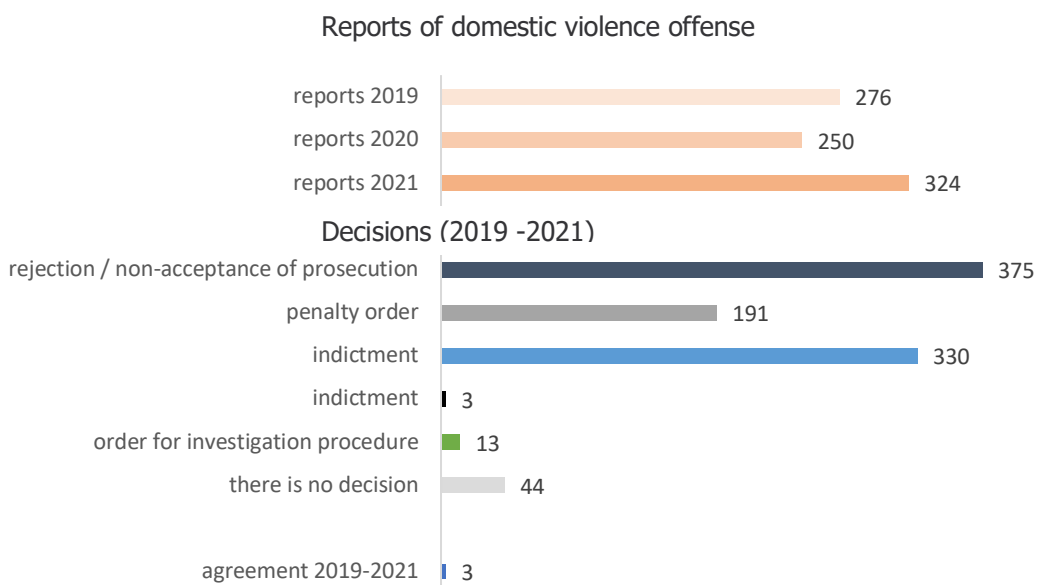
The **highest share of issued sanctions are suspended sentences (64%)**, and in 18% the plaintiff has either dropped the charge or the proceedings were terminated, in 13% the sanction is prison, in 3% there was a suspended sentence with protective supervision (but there is no specific data nor any clarifications whether this involves a program for perpetrators), and in 2% the sentence was a financial fine.





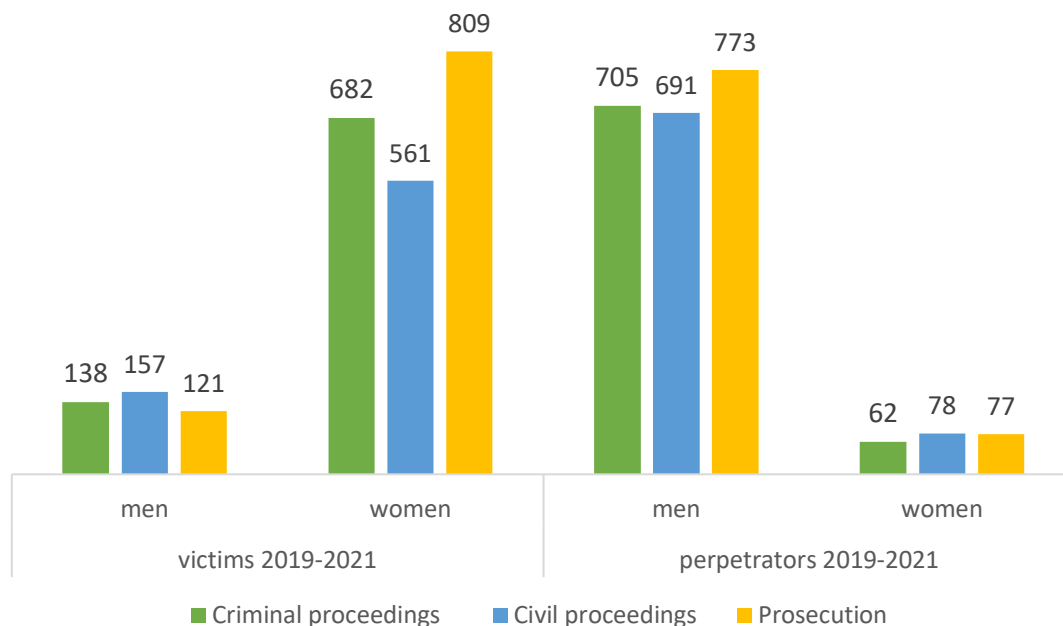
**FIGURE 15. CIVIL PROCEEDINGS BASED ON DATA OBTAINED FROM PRIMARY COURTS**

From the data obtained from primary courts, only the total number of initiated procedures for temporary and urgent measures for domestic violence could be analysed- on average annually 482. In 65% the initiator is a CSW whereas MIA is initiator in only 8% of the cases.



**FIGURE 16. CIVIL PROCEEDINGS BASED ON DATA OBTAINED FROM 24 PRIMARY COURTS**

Data obtained from the public prosecution offices indicate that 283 reports on domestic violence are recorded on average, annually. Out of these, 39% resulted in rejection or non-acceptance of the decision of the prosecution, 34% resulted in an indictment and 20% involve a penalty order, while in 5% of the reports there was no decision taken.



**FIGURE 17. VICTIMS OF DV DISAGGREGATED BY GENDER. DATA FROM 24 COURTS AND 11 PROSECUTION OFFICES.** *(THE TWO BIGGEST COURTS IN SKOPJE AND BITOLA COULD NOT BE INCLUDED HEREIN!)*

**Women are recorded as victims of DV in 83% of all the criminal proceedings, and they comprise 87% of all cases processed within the public prosecution, while 78% of the victims related to civil proceedings are also women.** On the other hand, in 92% of the criminal proceedings men appear as perpetrators of DV, and men also comprise 91% when it comes to cases processed within the public prosecution and 90% in the case of civil proceedings.

It is important to note that although there are established **IT systems** for case management and administration for courts and prosecution, the systems **are not adjusted for gender-disaggregated data to be logged**. Consequentially, the gender-disaggregated data that we managed to collect was obtained by manually analysing each individual case file as a hard copy. Thus, the two of the primary courts with the most cases (Primary Court Skopje and Bitola) were not able to process manually the large amount of data and these could not be collected.

## Chapter 3

### MAPPING THE NEEDS AND RESOURCES - SURVEY WITH STAKEHOLDERS

To map the needs and resources for prevention of gender-based violence, an online survey with stakeholders was conducted during the first quarter of 2022. According to the national legislation and strategic documents the system of relevant stakeholders for prevention of gender-based violence is broad and it includes different societal actors. Thus, a link of the survey questionnaire, available in Macedonian and Albanian was broadly disseminated to competent Ministries and to relevant national and regional public institutions and units, based on available official registries. Furthermore, the link was also shared with relevant civil society organizations and the Gender Equality Platform.

In total 470 representatives participated to this survey and 95% of them belong to the public institutions that are part of the wider system for gender-based violence prevention, 3% are CSO representatives, and 2% belong to the private sector.

Representatives from all relevant ministries participated in the survey, with the Ministry of Justice being the least represented among the sample of national institutions. On regional and local level, representatives from CSWs, LSGUs, health institutions, primary courts and public prosecution, police and the primary and secondary schools also participated in the survey. Unfortunately, the least representation could be ensured from the police, despite all the efforts made to increase the response rate among these professionals. However, it might be possible that they have identified themselves under the Ministry of Internal Affairs. The educational and health institutions mark the highest representation in this survey, comprising 37% and 21% of all the answers, respectively.

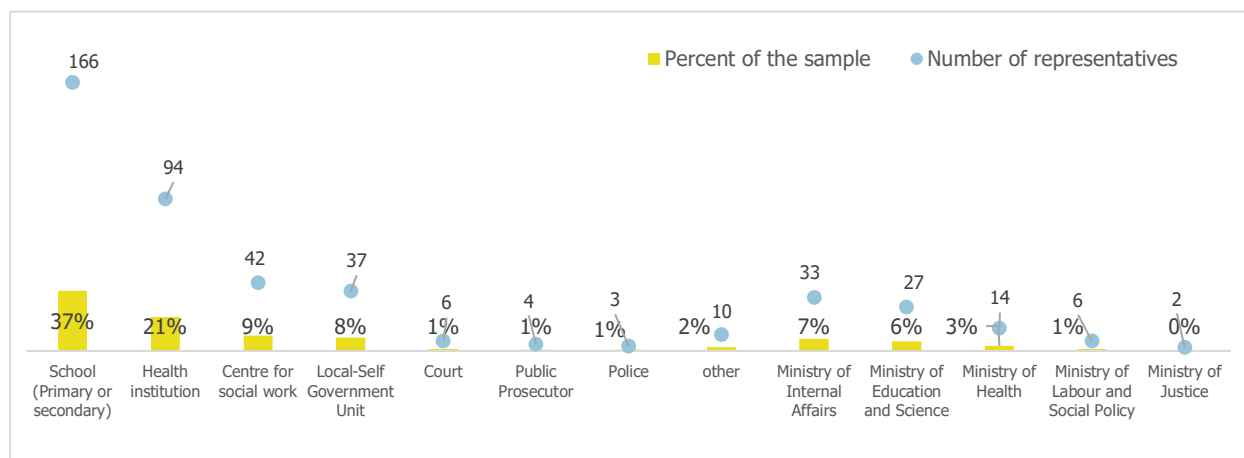


FIGURE 18. SURVEY SAMPLE STRUCTURE

In terms of age, more than two thirds of the respondents are between 35 and 54 years, more specifically, 39% belong to the age group 35 - 44, and 30% are 45 to 54 years old. The sample structure in terms of education implies that two out of three have bachelor's degree as a highest level of education, and every fourth has a Master's degree. Representatives with secondary education comprise around 6% and 3% are with a doctoral degree. Nearly half, i.e. 48% of the participants, live and work in the Skopje region, while 10% live and work in the eastern part of the country and the same percentage is registered for the southeastern region of North Macedonia. The rest of the statistical regions are represented with less than 10% in the overall sample.

### ATTITUDES TOWARD GENDER EQUALITY AND COUNSELLING OF PERPETRATORS

To assess the attitudes toward gender equality and gender roles, a list of statements was presented, and representatives were asked to express their opinion for each statement listed on a scale of 1-5 (with 1 being strongly disagree; and 5 being strongly agree.). In the table below the distribution of participants is presented, based on the level of agreement and the median as measures for central tendency that shows what is the "average" level of agreement in the sample. Having in mind that the listed statements reflected some of the patriarchal attitudes towards gender roles and gender-based violence **it is encouraging that for the majority of statements the median is either 2 or 1, implying a stronger disagreement with the statement.** However, **it is alarming that half of the participants are not opposing the attitude reflected in the statement: "Some women are manipulative and provoke anger and violence from their partners."** This is concerning because the statement implies **a victim blaming perspective towards gender-based violence and rationalization of gender-based violence.** Similarly, **every fourth agrees and every fifth is reserved towards the statement: "A woman shows respect for her husband when she takes care of the children or the elderly.", which implies and confirms the assumed wide representation of the traditional gender roles perspectives.**

**TABLE 1. ATTITUDES TOWARD GENDER EQUALITY - DISTRIBUTION OF ANSWERS AND CENTRAL TENDENCY MEASURES**

	Strongly disagree 1	Disagree 2	Agree 4	Strongly agree 5	- (1+2)	Neither agree nor disagree 3	+ (4+5)	Median
Some women are manipulative and provoke anger and violence from their partners.	25%	25%	20%	3%	50%	27%	23%	3
A woman shows respect for her husband when she takes care of the children or the elderly.	26%	27%	20%	6%	53%	21%	26%	2
Women naturally need protection from men.	26%	37%	16%	4%	63%	17%	20%	2
It is natural for women to be more emotional and submissive and men to be more tough and dominant. We would like to hear your thoughts on a few issues.	37%	35%	9%	3%	72%	16%	12%	2
Husband and wife should try to reconcile for the sake of the children, even when there were occasional incidents of violence.	38%	35%	12%	3%	73%	12%	16%	2
If a woman is dressed provocatively, it is normal for men to whistle on her or catcall her.	41%	34%	9%	3%	75%	13%	12%	2
Women overreact when they say they suffered "psychological violence".	34%	42%	6%	2%	76%	16%	8%	2
Only mothers should take maternity leave, it is unnatural for men to take months out of work for parental leave.	39%	38%	8%	2%	77%	12%	11%	2
New ideas about soft and emotional men turn young boys gay.	41%	38%	3%	3%	79%	15%	6%	2
It is normal for the father to discipline the child by slapping him/her occasionally.	49%	37%	5%	1%	86%	8%	5%	2
Even when her opinion is different, it is a form of disrespect if the wife does not agree with the decision of her husband.	54%	36%	3%	1%	90%	6%	5%	1
It is natural for men to be the providers and women to be dedicated to the family.	63%	28%	3%	1%	91%	6%	4%	1
Domestic violence is a private matter.	65%	29%	1%	1%	94%	4%	2%	1
It is not uncommon for a man to hit his wife in a heat of passion.	83%	14%	1%	1%	97%	1%	2%	1
It is embarrassing if the wife earns more money than the husband.	80%	17%	0%	1%	97%	1%	1%	1

**Attitudes towards programs for treatment of perpetrators** were also assessed. The list of statements was balanced, half reflected a positive attitude and half reflected a negative attitude. Again, **it is encouraging that most participants agreed with the statements that reflected positive attitude towards programs for perpetrator treatment.** However, it should be noted that only 38% did not agree with the statement "Perpetrators will misuse the programs for psychosocial treatment to ease the sanction" implying that **a significant portion of the participants are either reluctant or agree with the statement.** Similarly, half of the participants did not oppose the statement "Programs for work with perpetrators give them an advantage in the justice system or help them better hide and excuse their abusive behaviors." which again **might suggest a concern that these kinds of programs might be misused.**

**TABLE 2. ATTITUDES TOWARD COUNSELLING OF PERPETRATORS- DISTRIBUTION OF ANSWERS AND CENTRAL TENDENCY MEASURES**

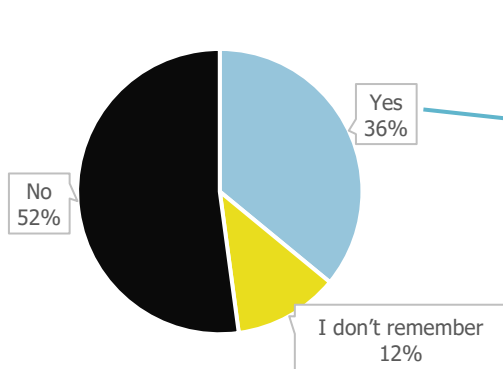
	Strongly disagree 1	Disagree 2	Agree 4	Strongly agree 5	- (1+2)	Neither agree nor disagree 3	+ (4+5)	Median
Programs for psychosocial treatment of perpetrators help them to take responsibility for their actions	2%	4%	65%	14%	6%	15%	79%	4
Programs for work with perpetrators increase safety and well-being for women and children	1%	4%	60%	17%	5%	17%	78%	4
Programs for work with perpetrators help them to develop more safe and positive parenting	1%	3%	63%	12%	4%	21%	75%	4
Programs for work with perpetrators increase men's self-reflective skills, supporting them to develop non-violent coping strategies	1%	3%	57%	15%	4%	24%	72%	4
Perpetrators will misuse the programs for psychosocial treatment to ease the sanction	9%	29%	22%	4%	38%	36%	26%	3
Programs for work with perpetrators give them an advantage in the justice system or help them better hide and excuse their abusive behaviors.	8%	40%	13%	3%	48%	36%	16%	3
Investing in services for work with perpetrators is like "stealing" from the funds for victims' support	19%	47%	8%	2%	66%	24%	10%	2
The psychosocial treatment services for perpetrators are a waste of time and money because violent behavior cannot be changed.	31%	47%	5%	2%	77%	16%	6%	2

## TRAININGS FOR PREVENTION OF GENDER-BASED VIOLENCE

**Under goal three on prevention of gender-based and domestic violence, the Action Plan for the Implementation of the Convention, foresees trainings for primary and secondary school teachers and assistants, educators and caregivers, CSW professionals, police officers, health professionals, judges and public prosecutors, forensic experts, representatives of free legal aid regional offices and local bodies for equal opportunities at LSGUs and responsible persons for social protection within the LSGU.**

From all the surveyed participants, **more than half have never had any training on GBV prevention, and additional 12% don't remember if they did.** Slightly more than one third **(36%) received training on gender-based prevention**, and majority of them **(68%) had such a training in the last five years.**

Q: Have you ever participated in any trainings for GBV prevention?



Q: Have you participated in trainings for GBV prevention in the LAST FIVE YEARS?

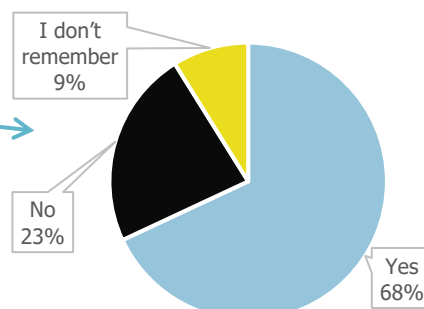


FIGURE 19. PARTICIPANTS WHO RECEIVED TRAINING ON GBV PREVENTION

Respondents who reported to have had trainings in the last five years were asked further about the organisers behind the training, and **nearly half of them answered that a CSO delivered the trainings.**

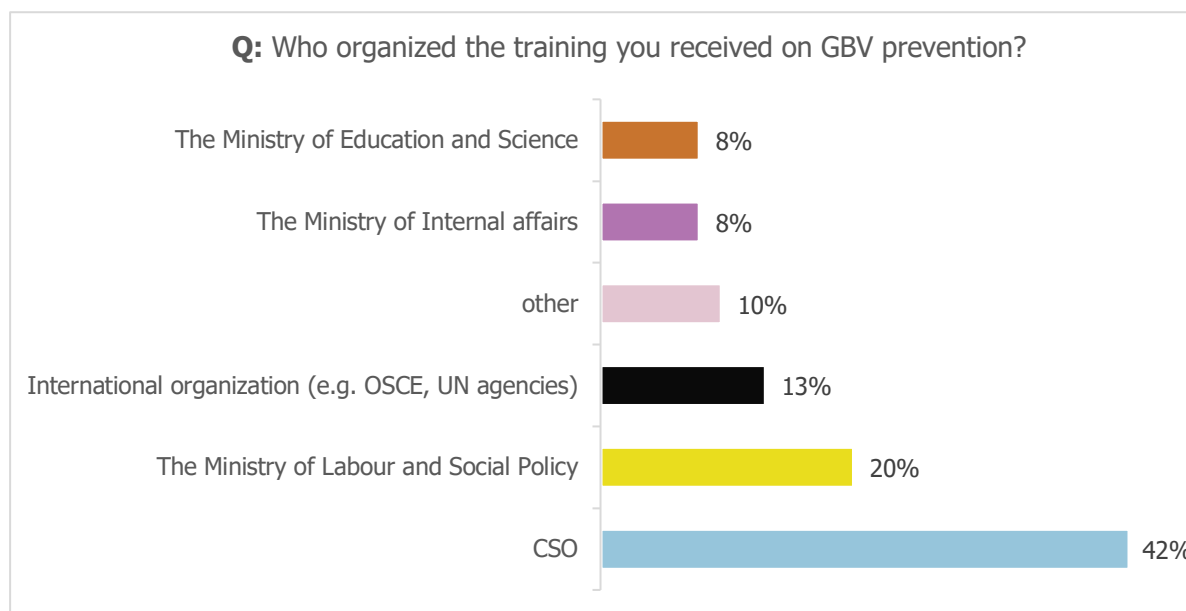


FIGURE 20. PARTICIPANTS WHO RECEIVED TRAINING ON GBV ANSWER WHO ORGANIZED THE TRAINING (FOCUSING ON THE LAST IF THEY RECEIVED MORE THAN ONE)

**Most of the trainings were not mandatory, and 67% participants answered that their participation was voluntary.** Every fifth respondent (22%) participated in a mandatory training while 11% do not remember the nature of their training. More than half (54%) answered that they are not aware if the organizers measured any changes in participants' attitudes or/and

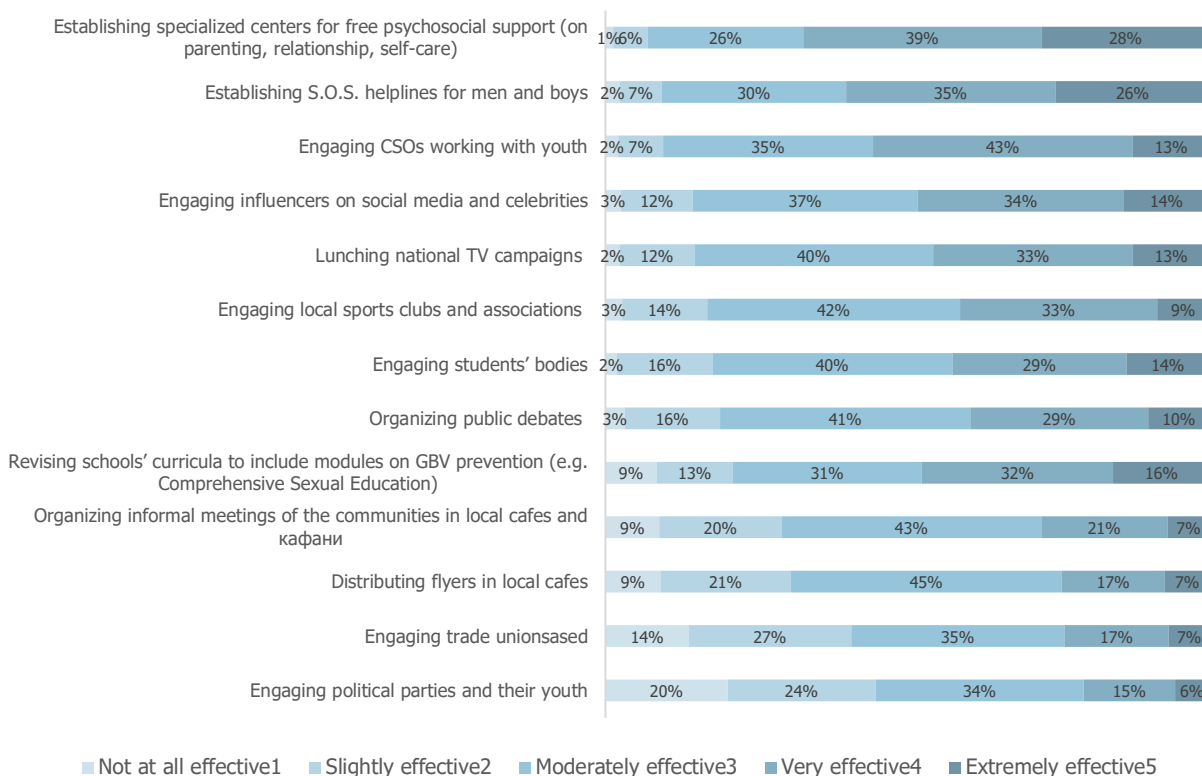


behaviour after the training, while **more than one third (35%) confirmed that such assessments were integral to the training**. When asked to assess the quality of the training on GBV prevention they received, the **majority of participants evaluate the training as good (42%) or very good (36%)**, while every fifth (22%) gave a more reserved evaluation of the training (i.e. of acceptable quality but neither good nor very good) and 1% evaluated their trainings as very poor.

## MOBILIZING FOR GBV PREVENTION

Participants were also asked to share their opinion on **what would be the most effective way to engage men and boys in GBV prevention in our country**. Based on their answers, **establishing specialized centres for free psychosocial support (on parenting, relationship, self-care) is recognized as a most effective way** with 67% of participants agreeing to this predefined statement. Furthermore, **60% answered that establishing S.O.S. helplines for men and boys would be an effective alternative** and **56% believe that engaging CSOs to work with youth would be an effective way**.

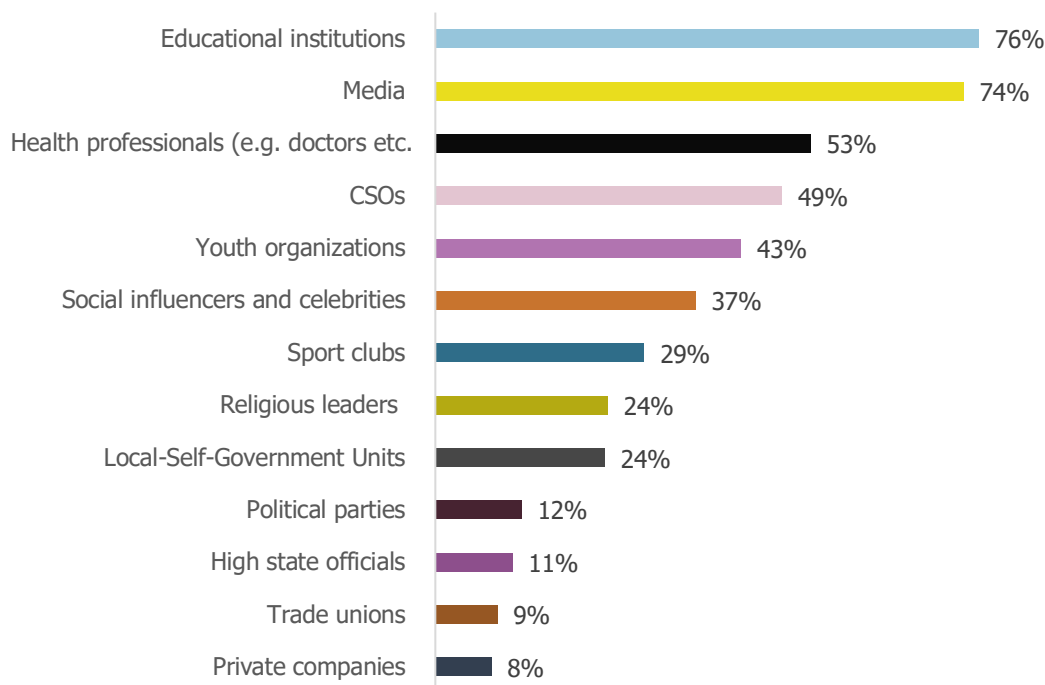
**Q:** To what extent can each of the following be effective way to engage men and boys in GBV prevention in our country?



**FIGURE 21. WAYS TO ENGAGE MEN AND BOYS IN GBV PREVENTION RATED ON EFFECTIVENESS**

**Majority of the respondents believe that educational institutions and the media should be more involved in GBV prevention.** Half or nearly half think that **health professionals, CSOs and youth organizations should be more involved in GBV prevention.** Only one tenth or less think that high state officials, trade unions and private companies should be more involved in GBV prevention. Due to the nature of the online survey, it remains open whether participants did not recognize the role in GBV prevention of these stakeholders or think that their involvement would not be effective.

What do you think, which actors should be **more** involved in GBV prevention?



**FIGURE 22. SOCIAL ACTORS THAT SHOULD BE MORE INVOLVED IN PREVENTION OF GBV, BASED ON PARTICIPANTS' PERCEPTIONS**

## SPECIALIZED SERVICES FOR PERPETRATORS OF GBV

**A grand majority of online respondents, i.e., 86%, agree that our country lacks specialized services (psychosocial clearing, counselling, therapy, training, treatment) for perpetrators of GBV.**

Participants in the qualitative focus group discussions further note that there is only one functional centre that provides services to perpetrators for the whole country. Some of them believe that the **Ministry of Health should be responsible for the development of such centres and consider the service to fall under the public health domain. There is also the issue of the lack of police engagement in cases when removal of the perpetrator from the home is necessary.**<sup>112</sup>

One representative from the Institute for Social Affairs noted the importance of the existence of the recently developed standards and procedures (SoPs) including standards and procedures for the work of a counselling centre and psycho-social treatment of perpetrators of GBV and DV. In addition to that, the Ministry of Labour and Social Policy mentioned the counselling centres for

<sup>112</sup> FGD discussions and interviews with CSOs and other actors conducted by Reactor between December 2021 and February 2022.

psychosocial treatment of perpetrators that are opened on ten locations in the country as part of the local units of the Centres for Social Work but in separate locations, and perpetrators are expected to make it to 20 counselling meetings – four individual and sixteen as part of a group counselling with other perpetrators.

*“Following the ratification of the Istanbul convention, we opened counselling centres for psychosocial treatment of GBV perpetrators. These are part of the local Centres for Social Work but are physically located in a separate building. The same office is used for counselling of victims as well, but the appointments are made in different days so we could avoid incidents. People who work with the victims are different than those who work with the perpetrators” – a representative from Ministry of Labour and Social Politics*

However, it is important to note here that the most recent Shadow Report from the Monitoring of the Implementation of the Action Plan for the Implementation of the Istanbul Convention reveals that these SoPs refer to the space, equipment, and personnel, and to the procedures for referral, reception, and assessment, while standards for a dedicated program for working with perpetrators of GBV and DV are still lacking.<sup>113</sup>

The programs for perpetrators of GBV are designed in a way that demands the perpetrator to have a capacity for cognitive reasoning to be able to achieve the aim of taking responsibility and working towards behaviour change. However, it is also emphasized that the system sees these programs as ‘a criminal responsibility relief’.

*“If it is not assessed well whether a certain person can be part of the program, the goal of acceptance of responsibility is not achieved, nor is the ultimate goal of changing the offender’s behaviour achieved.” – a representative from CSO – service provider*

Professionals who have working experience in a service provision centre for perpetrators of GBV note that despite the claimed progress in the official country report, the reality is not that bright and only a handful of perpetrators have completed the program from start to finish.

*“When I worked at HERA, we cooperated with the CSW, the CSW referred the perpetrators to us with a referral. None of the perpetrators I saw went through all the stages of the perpetrator program. In the reports on the state, progress is noted, it is stated that there are counselling centres, but in practice they do not work nor have the capacity to deal with the perpetrators and simultaneously ensure a victim-safety approach” – a representative from CSO – service provider*

113 KAROVSKA CHEMERSKA, D. HERA (2022). REPORT ON THE MONITORING OF THE IMPLEMENTATION OF THE ACTION PLAN FOR THE IMPLEMENTATION OF THE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE; AVIALABLE AT: [HTTPS://HERA.ORG.MK/IZVESHTAJ-MONITORING-AP-ISTANBULSKA-KONVENCIJA/](https://hera.org.mk/izveshtaj-monitoring-ap-istanbulska-konvencija/)

Q: Do you think our country lacks specialized services (psychosocial clearing, counseling, therapy, training, treatment) for perpetrators of GBV?

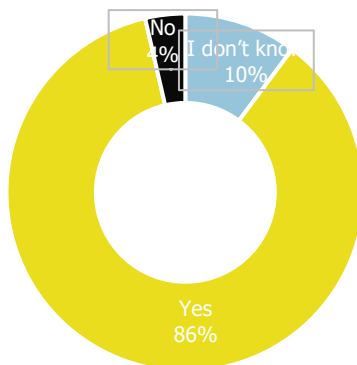
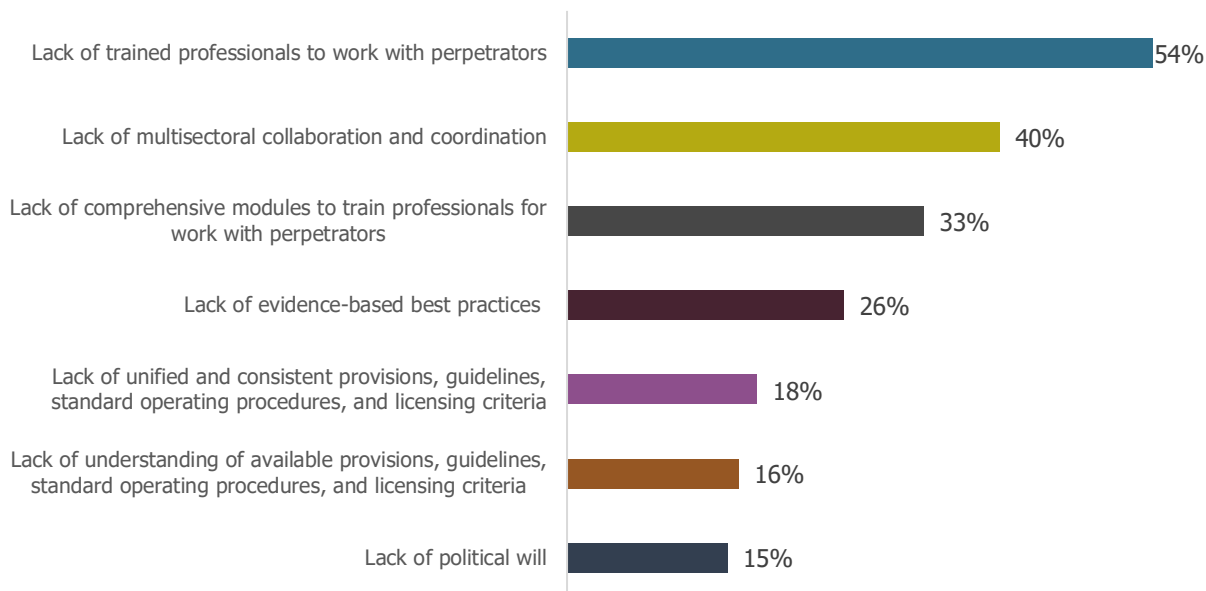


FIGURE 23. PERCEPTIONS OF AVAILABILITY OF SPECIALIZED SERVICES FOR PERPETRATORS OF GBV

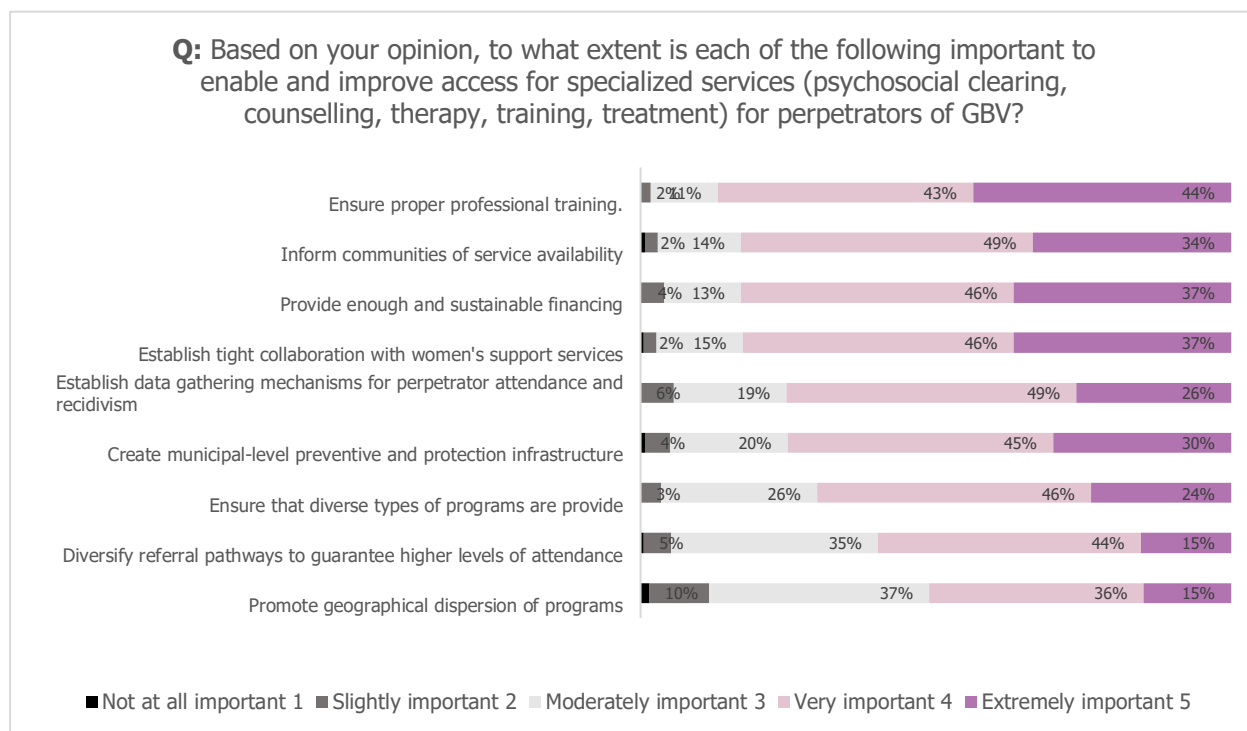
The online survey respondents who answered that we lack specialized services for perpetrators were further asked on the main reasons behind their beliefs and more than half of them indicated **lack of trained professionals to work with perpetrators as a significant factor**, while every third pointed the **lack of comprehensive modules to train professionals for work with perpetrators**. Furthermore, 40% of these respondents selected **lack of multisectoral collaboration and coordination as a contributing factor**.

**Q:** Why do we lack specialized services (psychosocial clearing, counselling, therapy, training, treatment) for perpetrators of GBV violence?



**FIGURE 24. IDENTIFYING FACTORS UNDERLING LACK OF SPECIALIZED SERVICES FOR PERPETRATORS OF GBV**

A grand majority of the online interviewed respondents (over 80%) agree that to enable and improve access to specialized services (psychosocial clearing, counselling, therapy, training, treatment) for perpetrators of GBV there are several crucial issues that need to be addressed: proper training of professionals who will provide services (87%), enough and sustainable financing for such services to be established and functioning (83%) and informing the communities of service availability (83%). Furthermore, **the majority also believes that tight collaboration with women's support services (83%) would be crucial for these services to be functioning.**



**FIGURE 25. IDENTIFYING FACTORS THAT COULD FURTHER ACCESS FOR SPECIALIZED SERVICES FOR PERPETRATORS OF GBV**

## SPECIALIZED SERVICES FOR VICTIMS OF GBV<sup>114</sup>

According to the information gathered from the Ministry of Labour and Social Policy, shelter centres and specialized care services for GBV are regulated by special standards and procedures. According to the same MLSP information, there are counselling centres in 10 different CSWs that work with both victims and perpetrators of GBV, located in a separate building than the one of the CSW and they have separate teams, i.e., their own employees.

In addition to these, the Ministry of Health is responsible for three more centres for provision of health care to victims of GBV. The original strategic plan predicted having at least six such centres, but due to insufficient funding only three were functional and based in Skopje, Kumanovo and Tetovo. However, apart from having other viable challenges, during the pandemic with Covid-19 these centres were restructured into Covid-19 centres and were not at all accessible to victims of GBV.

*“The centres are still not well equipped. Additionally, we need to partner with women CSOs that provide care for victims of GBV and use their support. Proper funding and better coordination is still lacking. The services are completely free,*

<sup>114</sup> Qualitative FGD discussions and interviews with CSOs and other actors conducted by Reactor between December 2021 and February 2022 are the main source of information and clarifications behind this thematic section.



*and the victim needs not to provide any personal ID – but during the pandemic their access was fully restricted, and centres were turned into Covid-19 treatment centres. – a representative from the Ministry of Health*

A representative from the Institute for Social Affairs pointed out again to the recently adopted standards and procedures including SoPs for: CSW work with victims of GBV and domestic violence, specialized services for shelter of victims, specialized services for counselling of women victims of GBV, and specialized service of providing SOS lines for victims of GBV and domestic violence. However, the procedures' efficiency and efficacy can't be assessed as most of the involved personnel has not received proper training yet. Additionally, the challenges in the capital seem to be more complex than those in other cities.

*The most difficult challenge is in Skopje where we have the biggest fluctuation of professionals. It is really too early to make an assessment yet, but it is a fact that the Skopje CSW is the biggest, with very complex problems and professionals that do not have the capacity to solve the issues in a way we would prefer them to – a representative from the Institute for Social Affairs*

Moreover, a representative from the Ministry of Interior states the importance of having a unified system for data gathering in cases of GBV and DV for all national institutions. Yet, the most acute issue that demands urgent action is having police officers trained for dealing with GBV cases in a gender sensitive manner and upgrading the current department of police officers working with domestic violence.

*"The trainings are crucial both for prevention and for improving GBV protection. There is a special police department for domestic violence that is severely understaffed mostly due to bad management practices. The department needs to grow, and everyone should be trained in the subject" – a representative from the Ministry of Interior*

Findings also reveal that a separate methodology was developed by the Ministry of Labour and Social Policy in relation to licencing services for victims of GBV, but according to the CSOs involved in this process this methodology is unsuitable and it does not meet the main demands that ensure sustainability of these services. One of the main challenges pointed out is that this methodology foresees (insufficient) funding per a single performed service, which implies that the centres would not be able to ensure sustainability in the event of lower demands of their services during a specific period. Additionally, the foreseen funds by MLSP partially cover the costs for engaging a psychologist and a social worker, but they fail to include any costs for career counselling and legal aid. The CSOs confirm that they were consulted during the process of development of this methodology, but they also note that their suggestions were not considered.

*"If we don't have enough services provided, there will not be enough funds even for overhead costs and it will not be possible to ensure funds for salaries and contributions for the employees. – a representative from CSO – service provider*

*"Specialized support is a significant form of prevention of future violence, specialized services must exist and be properly and sufficiently financed by the state." – a representative from CSO – service provider*

According to the MTSP, there are currently eight centres working with victims of GBV and only one that also works with perpetrators.

One of the main issues in the establishment of such centres is the uncertainty over the responsibility of financing and managing these services. More specifically, consulted professionals believe that one single ministry should be appointed as responsible for the whole management of such services to have an easier oversight of all the processes and to coordinate the different actors in this field.

*“There should be one competent ministry that will be responsible for their management, creation of standards, work procedures, licensing of persons who will provide the services and hiring of skilled staff. – a representative from CSO – service provider*

Even more, as the latest Shadow Report<sup>115</sup> also confirms, there is still no official protocol for multi-sectoral handling of victims of GBV and inter-connectivity with other services, as well as standards and procedures for free legal aid for victims of GBV and informing victims about individual and collective complaints to regional and international bodies. This report further reconfirms that free legal aid is available to victims of GBV and DV in accordance with the Law on Free Legal Aid, according to which an examination of their financial situation is not required as a prerequisite for the use of this aid.<sup>116</sup>

All consulted parties and stakeholders agree that special attention should be paid to trainings held for professionals. Currently, there is no additional information on the content and the formal management of those trainings. There are indications that the modules developed for the Police are of acceptable quality, but the approach police officers take while interpreting the content is problematic.

*All the known stereotypes are perpetuated through the training of police officers – a representative from CSO – service provider*

There is a lot of ‘grey’ space that needs to be further explored when it comes to trainings with professionals due to lack of a more universal systematic approach towards the subject and transparency and systematisation of data. However, all consulted parties agree that there is a lot of space for improvements and these improvements should be of immediate and systematic nature.

<sup>115</sup> Karovska Chemerska, D. HERA (2022). Report on the monitoring of the implementation of the action plan for the implementation of the convention on preventing and combating violence against women and domestic violence; available at: <https://hera.org.mk/izvestaj-monitoring-ap-istanbulska-konvencija/>

<sup>116</sup> Ibid.

## CONCLUSIONS AND RECOMMENDATIONS (DRAFT)

Programmes for the treatment of perpetrators of violence against women and domestic violence aim to prevent violence against women, to increase the safety of victims of domestic violence, but at the same time contribute to the process of political and cultural transformation of the society and the elimination of gender-based violence and gender-based discrimination.

The analysis of the legal framework and the comparison to the international and regional standards for prevention and protection from violence against women and domestic violence show significant compliance of the legal framework with the Istanbul Convention and the existence of a legal basis for establishing and managing programs for treatment of perpetrators of all forms of gender-based violence and domestic violence. The standards and procedures for establishing and functioning of such services, on the other hand, are not fully in line with the Istanbul Convention and the Law on Prevention and Protection from Violence against Women and Domestic Violence and they are reduced to servicing perpetrators of domestic violence only.

Authorities claim there are eight counselling centres established for the psychosocial treatment of domestic violence perpetrators, but there is complete lack of information on the appropriateness of the location, spatial conditions, staff capacities working with perpetrators, the effectiveness of the programmes and their alignment and correlation to other services provided by institutions and organisations at national and local level. There is a complete absence of a program to treat perpetrators of sexual violence.

The lack of support for victims who report violence leads to a reduced number of prosecuted cases compared to the number of previously reported cases of violence. The analysis also demonstrates a low number of issued temporary protective measures for mandatory counselling of the perpetrator. Further analysis is needed to explore the reasons behind this trend and detect whether the courts are not keen to issue these measures, or if the limited capacities of the CSW, who are entitled to provide this type of counselling, are an impediment and they negatively influence the effective implementation of the protective measure.

There is an additional bottleneck in the process due to the absence of a written protocol or guidelines to assist professionals in dealing with and treating perpetrators of violence who use and are addicted to psychoactive substances, which excludes a significant number of perpetrators from counselling.

Sexual violence is considered one of the most severe forms of gender-based violence against women which can only be tackled through legislative and other non-regulatory measures. So, besides the need for adoption of the proposed amendments to the Criminal Code, there is a need for establishing appropriate services for urgent and long-term support of the victims of sexual violence and at the same time preventive services for perpetrators of sexual violence.

Apart from establishing the perpetrators' program as a specific measure, the obligation of North Macedonia to prevent gender-based violence should be fulfilled through other general and specific measures that will promote changes in the mentality and attitudes of the people in general.

The LPPVAWDV includes several general preventive measures that each institution and organization should implement based on the principle of equality and non-discrimination. The Action Plan sets out the concrete actions that each entity should implement in a certain period in the time frame 2018-2023. However, the overview of the Goal 3 in the Action Plan and the replies provided from the line ministries demonstrate a delay in the implementation of the prevention measures, specifically for those activities that aim to change the hearts and minds of the public and to transform the institutions to better understand the gender dimension of the violence against women.

Therefore, the Government should consider an immediate revision of the Action Plan and provide a more realistic plan with a specific timeframe and suitable financial resources to finalize the implementation of the Action Plan, which is crucial to set the foundations for the full operationalization of the LPPVAWDV and for an effective prevention and protection against gender-based violence and domestic violence.

Working with men from early ages should be incorporated in the prevention and protection programmes and practiced at all the different levels, including general prevention, and changing behaviours through official school curricula, informal education for young boys and men within different contexts, and counselling centres for boys and men, as well as professional work with perpetrators through a victim-safety based approach.