



North Macedonia's Compliance with the International Covenant on Civil and Political Rights: Violence and Discrimination against Women

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

and

National Network to End Violence Against Women and Domestic Violence in North Macedonia

and

Union-National Council for Gender Equality

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication.

The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

National Network to End Violence Against Women and Domestic Violence was formed on the 7th of December 2010 and has been working in the field of gender-based and domestic violence since its establishment. 21 organizations that operate at the local and national level are members of the network. In the past five years, the Network's team was actively involved in the working groups for the drafting of the new Law on Violence against Women and Domestic Violence and the National Action Plan for the Implementation of the Istanbul Convention (2018-2023). The network published numerous analyzes and reports in the field of women's rights and gender-based violence. From the beginning of 2020, they started providing specialized services for women and children victims of gender-based violence and domestic violence, through establishment of counseling centers for help and support of victims (currently located in Skopje, Tetovo, Kavadarci and Bitola) and the Housing Program for Women victims of violence.

Union-National Council for Gender Equality (NCGE) is a national, multiethnic and multigenerational network, creatively oriented towards the future. The organization strives to

achieve gender equality, development, protection of women's rights and peace. NCGE is a network of more than 60 local formal and informal women's organizations and groups from urban and rural areas in the country. NCGE was established in October 1994 and has grown into one of the largest women's networks in the Republic of North Macedonia. The network's members are women of different ages, different social and educational levels, ethnic backgrounds and religions. With its activities, NCGE promotes a culture of peace and non-violence, participates in the political and economic empowerment of women, advocates for the social inclusion of women from rural areas and marginalized groups, participates in the promotion and improvement of policies on gender-based violence and domestic violence, and advocates for everything that is meant by the word equality.

EXECUTIVE SUMMARY

1. This report highlights critical concerns regarding North Macedonia's compliance with its obligations under the International Covenant on Civil and Political Rights (ICCPR). While North Macedonia has taken formal steps to align its national legislation with the Istanbul Convention, most notably through the 2021 Law on Prevention and Protection from Violence Against Women and Domestic Violence (VAW and DV Law) and amendments to the Criminal Code, implementation remains weak, fragmented, and increasingly politicized. The reporting period was marked by intensified political instability, the rise of anti-gender narratives within government discourse, and open attempts to roll back existing gender equality protections, erase references to gender equality from national legislation, and deprioritized funding for gender-based violence response mechanisms.
2. Using practice-based evidence, this report provides concrete evidence of these failures and urges the Human Rights Committee to issue strong recommendations to the State party to ensure victim-centered, gender-sensitive implementation of its obligations under the ICCPR and the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, ("the Istanbul Convention").

I. National Human Rights Institutions (LOIPR par. 2)

3. The Committee, in its 2021 LOIPR, solicited information on the measures taken by the Office of the Ombudsman to align itself with the standards reflected in the Paris Principles.¹ The Committee also requested information on the protection, services, and due process given to victim(s) of human rights abuses and trafficking throughout their process of obtaining justice.²
4. In its response, the State Party expressed alignment with the Paris Principles by highlighting the roles of the Office of the Ombudsman.³ The State Party Report also listed the legislation passed for the protection, prevention, and remedies of victims of human rights abuses and trafficking.⁴
5. Recalling the previous Concluding Observations (para. 5), the State Party has taken steps to strengthen the Office of the Ombudsman and move closer to full alignment with the Paris Principles. Amendments to the law⁵ gave the Ombudsman new powers to promote, monitor, and advocate for the protection of human rights. The Ombudsman also gained the authority to act as a "friend of the court" in all stages of procedures. It was also created as a civil oversight

¹ Human Rights Committee, *List of issues prior to submission of the fourth periodic report of North Macedonia*, (Dec. 6, 2021), U.N. Doc. CCPR/C/MKD/QPR/4. ¶2

² Human Rights Committee, *List of issues prior to submission of the fourth periodic report of North Macedonia*, (Dec. 6, 2021), U.N. Doc. CCPR/C/MKD/QPR/4. ¶8-¶11.; ¶14

³ Human Rights Committee, *Fourth Periodic Report of the Republic of North Macedonia Under the International Covenant on Civil and Political Rights for the Period 2015-2022*, (Aug. 2023), U.N. Doc. ¶¶5.;11 ;102.

⁴ Human Rights Committee, *Fourth Periodic Report of the Republic of North Macedonia Under the International Covenant on Civil and Political Rights for the Period 2015-2022*, (Aug. 2023), U.N. Doc. ¶53- 54: 59-67.; ¶100.; ¶131 ; ¶132; ¶133 ¶135. ¶138. ; ¶139.

⁵ The lapsus from 2016 to 2018.

mechanism to support and protect victims and represent their interests during investigations of police conduct, including prison police.⁶

6. Recommendations have been received from the State Party for the Ombudsman to accept to act as a body for monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention (Act No. 08-1359/35 of 09.07.2018) and as a National Rapporteur on Human Trafficking and Illegal Migration (Decision on Supplementing the Decision on the National Commission for Combating Human Trafficking and Illegal Migration No. 45278/1 of 22 January 2019). However, the full legal incorporation of these expanded responsibilities remains pending, as the Draft Law on Amendments to the Law on the Ombudsman is still in legislative procedure.⁷ The amendments to this Law were on the agenda of the 149th session⁸, informally the last for this Parliament's composition, but they remained unconsidered because the amendments had not been translated. Previously, in February and March 2025, the draft amendments⁹ passed the filters before the competent parliamentary Committees.
7. The lack of adoption of these amendments continues to delay the Office's full compliance with the Paris Principles, particularly in terms of legal clarity, operational autonomy, and institutional recognition. Without the amended law, the Ombudsman remains the only National Human Rights Institution in the region without "A" status, which undermines its ability to engage fully with international human rights mechanisms. While the Government has made

⁶ Law on the Ombudsman (Official Gazette of the Republic of Macedonia, No. 35 (Feb 23 2018), art 11-
<https://ombudsman.mk/CMS/Upload/NarodenPravobranitel/upload/Interni%20akti/Zakon%20na%20NP/Zakon-za-izmenuvane-i-dopolnuvane-23-02-2018.pdf>

⁷ Draft Law Amendments to the Law on the Ombudsman (2025), [https://www.sobranie.mk/preview?id=f8baf0de-](https://www.sobranie.mk/preview?id=f8baf0de-0f9b-4da2-956f-)

[0f9b-4da2-956f-a41624a6dfbe&url=https://sp.sobranie.mk/sites/2023/materials/638703398815096777/Documents/638748681683546381.docx&method=GetDocumentContent](https://www.sobranie.mk/sites/2023/materials/638703398815096777/Documents/638748681683546381.docx&method=GetDocumentContent)

⁸E-Parliament <https://www.sobranie.mk/detali-na-materijal.nsp?param=02f6f83a-3750-422e-bb00-a7e32ead8fc3>

⁹ Article 4 After Article 11-f, two new Articles 11-e and 11-h are added, which read: "Article 11-e The Ombudsman, for the realization of the competence to monitor the implementation of the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol, undertakes the following actions and measures: 1. monitoring the implementation of the Convention; 2. analysis, study and monitoring of regulations and comparative law in relation to the rights in the Convention; 3. monitoring international regulations and advocating for the harmonization of national laws and other acts; 4. undertaking measures and activities to promote and raise awareness of persons with disabilities about the rights in accordance with the Convention and 5. preparing and submitting a report to the UN International Committee and other competent bodies on the implementation and measures taken by the state, in the context of the rights in the Convention. Representatives of persons with disabilities may participate in the realization of the competences referred to in paragraph 1 of this Article. disability/handicap and relevant civil society organizations. The Ombudsman shall conclude a Memorandum of Cooperation regarding the manner of engaging the representatives referred to in paragraph 2 of this Article, and the rights and obligations of each individual person shall be regulated in more detail by an agreement." Article 11-h The Ombudsman, as the national rapporteur on trafficking in human beings and illegal migration, undertakes the following actions and measures: 1. monitoring the overall activities of state institutions in the fight against trafficking in human beings and illegal migration; 2. collecting and analyzing data (qualitative and quantitative information) from relevant institutions; 3. participating in the work of the National Commission for Combating Trafficking in Human Beings and Illegal Migration; and 4. monitoring and evaluating the implemented activities of laws and policies for a better institutional response, as well as under the National Action Plan." See Draft Law Amendments to the Law on the Ombudsman(2025),8, <https://www.sobranie.mk/preview?id=f8baf0de-0f9b-4da2-956f->

[a41624a6dfbe&url=https://sp.sobranie.mk/sites/2023/materials/638703398815096777/Documents/638748681683546381.docx&method=GetDocumentContent](https://www.sobranie.mk/sites/2023/materials/638703398815096777/Documents/638748681683546381.docx&method=GetDocumentContent)

efforts to strengthen its role through executive decisions, these do not replace the need for formal legislative backing.

8. Information on human and financial resources provided to the Office of the Ombudsman during the reporting period remains limited, and challenges persist in ensuring the consistent implementation of the Ombudsman's recommendations. The adoption of the amendments currently under procedure is critical to securing the Ombudsman's independence, reinforcing its authority, and fulfilling the requirements of the Paris Principles.¹⁰

9. **Suggested recommendations:**

- Accelerate the adoption of the Draft Law on Amendments to the Law on the Ombudsman, ensuring that all proposed amendments are in line with the Paris Principles.
- Formally incorporate, through legal means, the expanded responsibilities of the Ombudsman as a body for monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol, and as the National Rapporteur on Trafficking in Persons and Illegal Migration, to provide a clear legal basis and avoid reliance on government decisions alone.
- Establish a binding or structured monitoring mechanism requiring public authorities to respond promptly and substantially to the Ombudsman's recommendations, with clear procedures for monitoring implementation and accountability in cases of non-compliance.

II. Legal framework regarding gender-based violence and discrimination (art. 2, List of Issues Prior to Reporting par. 2)

10. In its 2021 List of Issues Prior to Reporting (LOIPR), the Human Rights Committee (“The Committee”) requested information on anti-discrimination measures taken by North Macedonia’s government, especially concerning the Law on Prevention and Protection against Discrimination.¹¹

11. In 2024, and after a new parliamentary election, anti-gender rhetoric has increasingly influenced public policy and legislation. Attempts have been made to eliminate references to gender equality in the Law on Primary and Secondary Education and the Law on Textbooks, which prompted a strong reaction from most civil society organizations working on human rights and freedoms.¹² These regressive attempts not only violate Article 3 (equal enjoyment of rights by men and women) but also threaten established legal protections under the VAW

¹⁰ PressStatement, Ombudsman Office, Омбудсманот со остра реакција до Собранието затоа што не ги донесе измените на Законот за народниот правобранител (March 29, 2024),

) <https://360stepeni.mk/ombudsmanot-so-ostra-reaktsija-do-sobranieto-zatoa-shto-ne-gi-donese-izmenite-na-zakonot-za-narodniot-pravobranitel/>

¹¹ Human Rights Committee, *List of issues prior to submission of the fourth periodic report of North Macedonia*, (Dec. 6, 2021), U.N. Doc. CCPR/C/MKD/QPR/4. ¶¶4-5

¹² Metamorphosis Foundation, *Proposed changes to laws on primary and secondary education in North Macedonia leave space for discrimination, experts warn*, GlobalVoices, Dec. 2, 2024, <https://globalvoices.org/2024/12/02/proposed-changes-to-laws-on-primary-and-secondary-education-in-north-macedonia-leave-space-for-discrimination-experts-warn/>

and DV Law and the Law for Prevention and Protection from Discrimination adopted in 2020.¹³

12. The Constitutional Court's repeal of the Law on Prevention and Protection against Discrimination due to procedural shortcomings before Parliament,¹⁴ created a *de facto* lack of protection from discrimination. At the same time, the formation of the new Commission for Protection against Discrimination (KSZD) was delayed after the adoption of the new Law, with members not being elected until January 2021.¹⁵ From the adoption of the Law in May 2019 until the establishment of the KSZD in January 2021, there was no institutional mechanism in place to protect individuals who were victims of discrimination.¹⁶
13. The KSZD allocates most of its resources to implement its protective function with individual cases,¹⁷ with few activities are carried out in the area of monitoring and improving alignment on international and legal frameworks on protection against discrimination.¹⁸ Due to its

¹³ Law for Prevention and Protection from discrimination, Official Gazette no.258/20 <https://www.mtsp.gov.mk/content/%D0%97%D0%B0%D0%BA%D0%BE%D0%BD%20%D0%B7%D0%B0%20%D1%81%D0%BF%D1%80%D0%B5%D1%87%D1%83%D0%B2%D0%B0%D1%9A%D0%B5%20%D0%B8%20%D0%B7%D0%B0%D1%88%D1%82%D0%B8%D1%82%D0%B0%20%D0%BE%D0%B4%20%D0%B4%D0%B8%D1%81%D0%BA%D1%80%D0%B8%D0%BC%D0%B8%D0%BD%D0%B0%D1%86%D0%B8%D1%98%D0%B0.pdf>

¹⁴Уставен суд на Република Северна Македонија, ОДЛУКИ И ОДБРАНИ РЕШЕНИЈА НА УСТАВНИОТ СУД НА РЕПУБЛИКАСЕВЕРНА МАКЕДОНИЈА (Skopje,2022), 5-14, accessed May 25, 2024, <https://ustavensud.mk/wp-content/uploads/2024/08/%D0%91%D0%98%D0%9B%D0%A2%D0%95%D0%9D-2020.pdf>; see also, УСТАВЕН СУД НА РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА, У.БР.115/2019-1 (2020), accessed May 25, 2024, <https://ustavensud.mk/archives/19246>

¹⁵ Мирослава Бурнс, Комисија за заштита од дискриминација – многу работа, малку пари и лоши услови за работа, Апка.МК, Feb. 24, 2022, <https://drnka.mk/%D0%BA%D0%BE%D0%BC%D0%B8%D1%81%D0%B8%D1%98%D0%B0-%D0%B7%D0%B0-%D0%B7%D0%B0%D1%88%D1%82%D0%B8%D1%82%D0%B0-%D0%BE%D0%B4-%D0%B4%D0%B8%D1%81%D0%BA%D1%80%D0%B8%D0%BC%D0%B8%D0%BD%D0%B0%D1%86%D0%B8%D1%98/%D0%B8%D0%BD%D0%B0%D1%86%D0%B8%D1%98%D0%B0-%D0%BD%D0%B0-%D1%80%D0%B0%D0%B1%D0%BE%D1%82%D0%B0/31627988.html>; see also, Јасмина Јаќимова, Бендевска - Граѓаните најмногу се жалат на дискриминација на работа, Radio Free Europe/Radio Liberty, Jan. 18, 2022, <https://www.slobodnaevropa.mk/a/%D0%B1%D0%B5%D0%BD%D0%B4%D0%B5%D0%B2%D1%81%D0%BA%D0%B0--%D0%B3%D1%80%D0%B0%D1%93%D0%B0%D0%BD%D0%B8%D1%82%D0%B5-%D0%BD%D0%B0%D1%98%D0%BC%D0%BD%D0%BE%D0%B3%D1%83-%D1%81%D0%B5-%D0%B6%D0%B0%D0%BB%D0%B0%D1%82-%D0%BD%D0%B0-%D0%B4%D0%B8%D1%81%D0%BA%D1%80%D0%B8%D0%BC%D0%B8%D0%BD%D0%B0%D1%86%D0%B8%D1%98%D0%B0-%D0%BD%D0%B0-%D1%80%D0%B0%D0%B1%D0%BE%D1%82%D0%B0/31627988.html>

¹⁶ Information on file with authors (2020-2025).

¹⁷ The KSZD Commission reported addressing 599 individual complaints in 2023, with 523 new cases opened in that year alone. Commission for prevention and protection against discrimination, 2023 Annual Report of the Commission for the prevention and protection against discrimination (2023), pp. 5,13,14,21, accessed June 2, 2025, <https://kszd.mk/wp-content/uploads/2024/05/Annual-Report-of-CPPD-for-2023-.pdf>

¹⁸ Assembly of the Republic of North Macedonia, Јавен оглас – дискриминација, May 7, 2021, <https://www.sobranie.mk/content/Javen%20oglas-diskriminacija/Oglas-diskriminacija%207.5.2021.pdf>; Commission for prevention and protection against discrimination, 2023 Annual Report of the Commission for the prevention and protection against discrimination (2023), pp. 5,13,14,21, accessed June 2, 2025, <https://kszd.mk/wp-content/uploads/2024/05/Annual-Report-of-CPPD-for-2023-.pdf>; European Commission, North Macedonia 2024 Report (Oct. 30, 2024), 6, accessed June 2, 2025, <https://enlargement.ec.europa.eu/document/download/5f0c9185-ce46-46fc-bf44->

resource allocation and annual reporting,¹⁹ the KSZD partially implements its legal competences, but its limited capacities have a major impact on the type and scope of activities undertaken.²⁰ In 2022, the State adopted the National Strategy for Equality and Non-Discrimination 2022-2027 (“the National Strategy”).²¹ This National Strategy focuses specifically on achieving gender equality, with an emphasis on strengthening the rights, representation, and empowerment of women in all areas of social, political, and economic life. It also aims to integrate a gender perspective across all policies, eliminate gender-based discrimination and violence, and enhance women’s participation and leadership. In context, this Strategy is an addition and expansion of the previous Strategies, being the third one in the country.

14. The National Strategy²² does not thoroughly investigate all grounds of discrimination listed in the Law on Prevention and Protection against Discrimination. As the Law allotted time to prepare bylaws, protocols, and programs for full implementation,²³ most of these measures were adopted two years after their adoption, hindering implementation. Consequently, there were over two years without a financial framework or concrete measures to provide human capacity for implementation and monitoring of its provisions.²⁴
15. Another issue is that the government did not substantially and adequately include civil society organizations (CSOs) in the National Strategy development or action plan.²⁵ Civil society has a generally supportive environment, but the government needs to enhance civil society engagement in priority areas, consultation processes, and decision-making.²⁶ Further, CSOs were invited to initial consultations, but their contributions were not adequately considered in

¹⁹ Assembly of the Republic of North Macedonia, Јавен оглас – дискриминација, May 7, 2021, <https://www.sobranie.mk/content/Javen%20oglas-diskriminacija/Oglas-diskriminacija%207.5.2021.pdf>

²⁰ Coalition Sexual and Health Rights of Marginalized Communities, *Извештај за спроведувањето на Законот за спречување и заштита од дискриминација*, by Stojan Mishev and Margarita Gliguroska (2022), accessed May 30, 2025, <https://mzd.mk/wp-content/uploads/2023/01/IZVESHTAJ-ZSZD.pdf>.

²¹ Ministry of Labour and Social Policy, *National Strategy for Equality and Non-Discrimination 2022-2026 (April 2022)*: <https://mod.gov.mk/storage/2023/03/Nacionalna-strategija-za-ednakvost-i-nediskriminacija-2022-2026.pdf> ; see also official government document, https://www.mtsp.gov.mk/content/pdf/2022/strategija_%D0%A1%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D0%B8%D1%98%D0%B0_%D0%B7%D0%B0_%D1%80%D0%BE%D0%B4%D0%BE%D0%B2%D0%B0_%D0%B5%D0%B4%D0%BD%D0%B0%D0%BA%D0%B2%D0%BE%D1%81%D1%82_2022_2027.pdf

²² Ministry of Labour and Social Policy, *National Strategy for Gender Equality and Non-Discrimination 2022-2027* (2022), accessed June 2, 2025, <https://natlex.ilo.org/dyn/natlex2/natlex2/files/download/116973/MKD-116973.pdf>; see also official government document, https://www.mtsp.gov.mk/content/pdf/2022/strategija_%D0%A1%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D0%B8%D1%98%D0%B0_%D0%B7%D0%B0_%D1%80%D0%BE%D0%B4%D0%BE%D0%B2%D0%B0_%D0%B5%D0%B4%D0%BD%D0%B0%D0%BA%D0%B2%D0%BE%D1%81%D1%82_2022_2027.pdf

²³ Information on file with the authors (2020-2025)

²⁴ Coalition Sexual and Health Rights of Marginalized Communities, *Извештај за спроведувањето на Законот за спречување и заштита од дискриминација*, by Stojan Mishev and Margarita Gliguroska (2022), 7, accessed May 30, 2025, <https://mzd.mk/wp-content/uploads/2023/01/IZVESHTAJ-ZSZD.pdf>.

²⁵ Report on the implementation of the Law on Prevention and Protection against Discrimination in the period from 2019 to 2022, 10, <https://mzd.mk/wp-content/uploads/2023/01/IZVESHTAJ-ZSZD.pdf>.

²⁶ Macedonian Center for International Cooperation, *Monitoring Matrix on Enabling Environment for Civil Society Development: Country Report for North Macedonia 2023*(Oct. 2024), accessed on June 2, 2025, https://mcms.mk/images/docs/2024/Country_Report_for_2023_MM_in_North_Macedonia.pdf

the finalization of specific national strategies. The National Strategy was adopted without further consultation and its final text does not include organizations' proposals.²⁷

16. CSOs were not formally included in the integration of the Istanbul Convention into domestic law and policy. Despite the lack of formalized civil society consultation by Government leadership, representatives from the National Network to End Violence Against Women and Domestic Violence work directly with female Members of Parliament in submitting amendments to the Criminal Code that were later adopted by Parliament.²⁸ Notably, the definition of rape and sexual violence includes the absence of consent, as do the definitions for female genital mutilation, sexual harassment, and stalking. Murder resulting from gender-based violence or domestic violence was added as well.
17. The implementation of the Istanbul Convention with VAW and DV Law is a significant step. It is the first law to address all forms of violence against women, including domestic violence, and define rape based on the lack of consent. Marital rape was criminalized through amendments to Article 186 of the Criminal Code.²⁹ Paragraph 8 establishes “if sexual assault or rape is committed by a current or former spouse or intimate partner, the perpetrator is subject to a minimum sentence of three years’ imprisonment.”³⁰ It also introduces reintegration measures for women victims of violence. These measures include temporary housing, psychological counseling with mentoring, various types of financial assistance specifically intended for women victims of violence, opportunities for education and training in various fields, as well as employment measures.³¹ . There is limited data on cases under Article 186, as the changes are recent.
18. Despite amendments, legislation still falls short of complete alignment with the Istanbul Convention. Psychological violence has not been criminalized, despite being the most common form of violence against women in the country. According to the OSCE-led Survey on Violence Against Women in North Macedonia,³² 44% of women have experienced psychological violence since the age of 15. Other forms of violence reported include sexual harassment (30%), physical violence by a former or current intimate partner (10%), economic violence (10%), physical violence by a non-partner (6%), and sexual violence (2%). Moreover, the obligations outlined in Article 99 of the Law have not been fulfilled. More specifically, the program does not allocate a dedicated budget for the specialized services outlined in Article 99 of the Law. Article 99³³ also mandates institutions to recognize victims of violence as especially vulnerable and to develop programs and measures in accordance with their specific needs.

²⁷ Information on file with authors (2020-2025).

²⁸ Information on file with authors (2021).

²⁹ The Criminal Code of the Republic of North Macedonia, Art. 186 – rape and sexual assault, accessed June 2, 2025, <https://jorm.gov.mk/wp-content/uploads/2016/03/законик-пречистен-текст.pdf>

³⁰ The Criminal Code of the Republic of North Macedonia, Art. 186 – rape and sexual assault, accessed June 2, 2025, <https://jorm.gov.mk/wp-content/uploads/2016/03/законик-пречистен-текст.pdf>

³¹ Article 99 of Law on Prevention and Protection from Violence against Women and Domestic Violence.

³² OSCE, OSCE-led Survey on Violence Against Women in North Macedonia: Wellbeing and Safety of Women Results Report, (Vienna, Austria: OSCE, May 2019), accessed Oct. 19, 2023, <https://www.osce.org/secretariat/419264>

³³

19. The VAW and DV Law requires relevant institutions—including ministries, public prosecution offices, and courts to develop systems for comprehensive data collection on all forms of violence against women. However, this measure has not been fully implemented in practice. The Government has acknowledged that a model for an integrated GBV centralized and operational information management system (IMS) was developed in 2023 and presented to the National Coordinating Body.³⁴ While several rulebooks and guidelines have been developed with support from UNFPA, there is still no mechanism in place to support coordinated data collection across institutions, and the existing data continues to lack disaggregation by form of violence, relationship to the perpetrator, or recurrence.³⁵

Laws preventing and punishing femicide

20. There are insufficient legal and institutional frameworks to address femicide as a distinct crime, and no official bodies have monitored, published, or analyzed statistics that differentiate killings by gender or relationship to the perpetrator. The term “femicide” is not used in law, policy, or public discourse, leading to a lack of institutional awareness of and attention to the structural and gendered nature of these killings.³⁶
21. Amendments to the Criminal Code explicitly included gender-based violence as a criminal offense and moved the law closer to criminalizing femicide, albeit leaving important protection gaps. Although bringing the Criminal Code closer to alignment with international standards, the amendments³⁷ do not comprehensively cover femicide and leave provisions related to but not named femicide under the umbrella of GBV. Instead of using the term femicide, the amendments introduced a criminal offense involving “deprivation of a female or girl under the age of 18 of life while committing gender-based violence.”³⁸ This restricts the visibility of such cases in official statistics and limits the justice system's capacity to respond with the necessary urgency and contextual understanding.

³⁴ Government of North Macedonia, Comments submitted by North Macedonia on GREVIO’s final report on the implementation of the Council of Europe Convention on preventing and combatting violence against women and domestic violence (Sept, 7, 2023), Council of Europe, 6-7, accessed June 5, 2025, https://rm.coe.int/gvt-comments-baseline-evaluation-report-on-north-macedonia/1680ac7962?utm_

³⁵ GREVIO, GREVIO’s (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), pp. 6,25, accessed June 2, 2025, https://www.mts.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_

³⁶ Information on file with the authors (2012-2025).

³⁷ Article 122 of the Criminal Code defines the meaning of the expressions and terms used therein: “a victim of gender-based violence means any woman and girl under the age of 18 against whom a criminal act was committed under those circumstances. In amended Article 125, “privileged murders” include a provision that criminalizes the “murder in an instant as a consequence of domestic violence and gender-based violence”. See The Law on Amendments and Supplements to the Criminal Code No. 08-789/1 of Feb. 13, 2023.

³⁸ The AIRE Center, *Judicial Response to Femicide in the Western Balkans – Legal Framework and judicial Practice*, by Kosana Beker (2023), 65, accessed on May 30, 2025, https://airewb.org/wp-content/uploads/PUBLICATIONS/GE_EN_regional-femicide-report-2023.pdf

22. Article 125 of the Criminal Code³⁹ is problematic as it reduces the sentences for perpetrators of femicide, but this provision is not frequently applied in judicial practice. The core issue is rather the systemic failure to recognize and properly qualify femicide under the primary legal provision on homicide.⁴⁰ Prosecutors and courts often fail to apply the newly introduced aggravating circumstance,⁴¹ which gender-based murder of a woman committed in the context of intimate partner or domestic violence.
23. Public distrust in the judiciary is further deepened by the inadequate sentencing practices in cases involving gender-based and domestic violence. For a range of serious crimes committed in the context of domestic violence, such as grievous bodily harm, bodily injury, coercion, or endangerment of safety, the courts often impose overly lenient penalties, including suspended sentences (conditional discharge). These decisions send a message of impunity to perpetrators. As a result, perpetrators are not deterred from reoffending and may escalate their violence, including committing femicide.⁴²

24. Suggested recommendations:

- Integrate CSOs into the policy decision-making process and undertake measures to improve their access and participation, particularly in working groups tasked with drafting or revising laws, national strategies, and action plans.
- Undertake substantive measures to ensure public transparency regarding the budget allocation and human resources for KSZD.
- Evaluate the scope and effectiveness of activities undertaken by the KSZD.
- Amend the Criminal Code to include a clear and specific legal definition of femicide, distinguishing it from the broader category of gender-based violence and adopt a national protocol for the investigation, prosecution, and prevention of gender-related killings of women, in line with international best practices.
- Establish a transparent system for documenting and reporting femicide and marital rape cases. Including regular data publishing and open access for researchers, journalists, and CSOs to ensure accountability.
- Implement legislative measures, including the amendment of the Criminal Code and appropriate sanctions for inaction or negligence of duties, to establish accountability measures for public officials who fail to act with due diligence in cases of GBV.
- Ensure the full and effective implementation of the Law on Prevention and Protection from Violence Against Women and Domestic Violence by urgently adopting all outstanding bylaws, protocols, and budgetary provisions. Special attention must be paid to ensuring that services reach rural and marginalized communities.

³⁹ The Criminal Code of the Republic of North Macedonia, Art. 125 – instant murder, accessed June 2, 2025, <https://jorm.gov.mk/wp-content/uploads/2016/03/законик-пречистен-текст.pdf>

⁴⁰ The Criminal Code of the Republic of North Macedonia, Art. 123 – homicide, accessed June 2, 2025, <https://jorm.gov.mk/wp-content/uploads/2016/03/законик-пречистен-текст.pdf>

⁴¹ Under Article 123(2)(2-a)

⁴² Information on file with authors (2020-2025).

- Criminalize psychological violence as a separate and distinct offense under the Criminal Code to ensure adequate legal recognition and redress for survivors of non-physical forms of abuse.
- Undertake public awareness measures to combat anti-gender and anti-rights narratives in political and institutional discourse and guarantee that gender equality and the protection of women’s rights in all laws, public policies, and institutional practices.

III. Violence against women, including domestic and sexual violence (arts 2, 3, 6, 7, and 26 ICCPR, List of Issues Prior to Reporting par. 8)

25. In the LOIPR, the Committee inquired as to the status of implementation of the Concluding Observations on combatting gender-based violence against all women and girls (GBVAW) and improving women’s access to sexual and reproductive health rights (SRHR).
26. In the State Party’s response, the government emphasized their efforts to implement the Istanbul Convention through the Action Plan for 2018-2022 to prevent GBV throughout the country. The report also addresses the measures the government has taken to improve access to abortion. Despite these GBVAW legislative guarantees, North Macedonia did not address femicides in its response to the Committee.

Femicide

27. Implementation of laws preventing and punishing actions of femicide remains incomplete.⁴³ According to the available data, from 2017-2020, femicides were registered,⁴⁴ 22 femicides were registered.⁴⁵ In 2021, three femicides were registered and six in 2022. ⁴⁶During 2023-2024, femicide cases rose to 28 and only two cases have been registered so far between January – May of this year.⁴⁷ Over 75% of these crimes were perpetrated by intimate partners within residential settings. In more than 80% of the cases, victims’ relatives testified that the perpetrator had been violent toward the victim before the femicide and that none of the victims reported it to competent institutions.⁴⁸
28. Between 2018 and 2022, 17 femicide cases ended with final judgments. Of these, eight were qualified as “murder committed during domestic violence”, eight as attempted murder during domestic violence, and one was a basic murder charge. In two cases, the original charges were

⁴³ The National Network to End Violence Against Women and Domestic Violence closely monitors potential femicides cases in the country by direct court monitoring in the trials. In several cases, the verdicts have been publicly announced and are available on official court websites. Additionally, a significant portion of the information is obtained through verified media coverage and reports from journalists.

⁴⁴ National Network to End Violence Against Women and Domestic Violence, Analysis of femicide cases – murders of women in the Republic of Macedonia (2018), accessed on 20 May 2025, http://www.glasprotivnasilstvo.org.mk/wp-content/uploads/2013/11/Femicidi-mk.final_.pdf

⁴⁵ National Network to End Violence Against Women and Domestic Violence, Analysis of femicide cases – murders of women in the Republic of Macedonia (2018), accessed on 20 May 2025, http://www.glasprotivnasilstvo.org.mk/wp-content/uploads/2013/11/Femicidi-mk.final_.pdf.

⁴⁶ Information in file with authors (2020-2025).

⁴⁷ Information on file with the author (2020-2025).

⁴⁸ National Network to End Violence Against Women and Domestic Violence. (2021 “Analysis of cases of femicides – Murders of women in the Republic of North Macedonia 2017-2020. Available at: https://glasprotivnasilstvo.org.mk/wpcontent/uploads/2021/12/Femicid_14_MK.pdf

altered during the proceedings: one, which was initially conducted for attempted murder during domestic violence was changed to serious bodily injury during domestic violence, and another procedure for murder in a cruel manner was changed so that the defendant was tried for the basic form of murder.⁴⁹ This data refers to the period before the amendment of the Criminal Code in February 2023.

29. Although limited, some data is available on femicide cases following the described amendments. Between 2023 and 2025, at least seven confirmed femicides were recorded,⁵⁰ the majority of which were perpetrated by intimate partners or male family members. In the case from Kočani, the perpetrator was convicted and sentenced to life imprisonment, but later died by suicide while in detention.⁵¹ A particularly severe case occurred in August 2023 in Kumanovo, where a man murdered his wife and her mother in front of their minor child, and subsequently committed suicide by jumping from the fourth floor of a residential building—therefore, no criminal proceedings were held.⁵² In the Štip case, the perpetrator was also sentenced to life imprisonment in February 2025, but notably, he was not prosecuted for femicide.⁵³ Instead, the conviction was based on homicide committed in the context of domestic violence, without application of the specific aggravating circumstance introduced in Article 123(2)(2-a) of the Criminal Code⁵⁴ regarding gender-based murder of a woman.
30. All of these described cases involve prior institutional knowledge of the victims' vulnerability—whether through previous reports, restraining orders, or police interventions—yet authorities failed to take sufficiently protective preventative action.⁵⁵ These cases highlight gaps in risk assessment, lack of police follow-up, and absence of coordinated interinstitutional response.
31. The latest case of *Ramjana Asani*,⁵⁶ a 36-year-old woman murdered by her partner illustrates the systemic failure of State institutions to act with due diligence in preventing femicide. Prior to her death, Ramjana had filed multiple police reports regarding ongoing physical abuse. Despite visible injuries and repeated complaints, law enforcement failed to initiate criminal proceedings, issue protection measures, or conduct a proper risk assessment. Police reportedly

⁴⁹ The AIRE Center, *Judicial Response to Femicide in the Western Balkans – Legal Framework and judicial Practice*, by Kosana Beker (2023), 67, accessed on May 30, 2025, https://airewb.org/wp-content/uploads/PUBLICATIONS/GE_EN_regional-femicide-report-2023.pdf

⁵⁰ Information on file with authors (2020-2025).

⁵¹ S., *Two suicides in one month in the prison in Kumanovo*, MACTEL: Australian Macedonian News, June 10, 2024, <https://mactel.com.au/en/%D0%B4%D0%B2%D0%B5-%D1%81%D0%B0%D0%BC%D0%BE%D1%83%D0%B1%D0%B8%D1%81%D1%82%D0%B2%D0%B0-%D0%B7%D0%B0-%D0%B5%D0%B4%D0%B5%D0%BD-%D0%BC%D0%B5%D1%81%D0%B5%D1%86-%D0%B2%D0%BE-%D0%B7%D0%B0%D1%82%D0%B2%D0%BE/>

⁵² Marina Damceska, *Femicides in Kumanovo and Kočani: the Ministry of the Interior acted on the reports that still reached the Prosecutor's Office*, Слободен Печат, Sept. 2023, <https://www.slobodenpecat.mk/en/femicidi-vo-kumanovo-i-kochani-mvr-postapovalo-po-prijavite-koi-sepak-stignuvale-do-obvinitelstvata/>

⁵³ Information on file with authors (2020-2025).

⁵⁴ The Criminal Code of the Republic of North Macedonia, Art. 123 – homicide, accessed June 2, 2025, <https://jorm.gov.mk/wp-content/uploads/2016/03/законик-пречистен-текст.pdf>

⁵⁵ Information on file with authors (2020- 2025).

⁵⁶ Tamara Dichoska, *Партнерот на Рамајана ја убил пред 5-годишната ќерка*, Sitel, May 4, 2025, <https://sitel.com.mk/partnerot-na-ramajana-ja-ubil-pred-5-godishnata-kjerka>

dismissed her concerns and encouraged reconciliation,⁵⁷ in direct violation of both the VAW and DV Law and the Istanbul Convention. This case reveals a broader pattern of institutional negligence, where GBV is treated as a private or secondary issue, and State Actors fail to take immediate, proactive, and protective measures despite clear warning signs. The State's inaction also reduces public trust in institutions, which deters victims from seeking help, and perpetuates a cycle of impunity for perpetrators.

32. In response to the femicide of *Ramajana Asan*, a group of women from the Suto Orizari community submitted a Letter of Concern and Request for Information⁵⁸ to representatives of State institutions. The letter demands accountability from the relevant authorities and highlights the systemic institutional failures that contributed to her death. It reflects the community's outrage at the repeated inaction of the police and social services, and calls for transparency, justice, and meaningful reforms to protect women, particularly those from marginalized groups, from gender-based violence.

33. Suggested recommendations:

- Strengthen the capacity and accountability of police, prosecutors, and social services to effectively identify and respond to early warning signs of GBV. Ensure full and consistent implementation of the Protocol for mutual cooperation among all relevant institutions.
- Establish a national, gender-sensitive protocol for femicide risk assessment, intervention, and prevention, and provide mandatory, ongoing training for police, prosecutors, social workers, and judges on identifying and responding to high-risk cases before they escalate to fatal violence.

Data Collection: Fragmented, Inconsistent, and Gender-Insensitive

34. Although formal protocols for data collection on gender-based violence exist, their implementation remains limited and inconsistent, directly impacting the ability to adequately identify, respond to, and prevent such violence. To date, only cases of domestic violence are systematically recorded—primarily by the Ministry of Interior Affairs and the Ministry of Social Policy, Demography and Youth.⁵⁹

35. There is still no harmonized and disaggregated system for collecting and reporting data on violence against women. While the Ministry of Interior Affairs (MoI) records the relationship between the victim and the perpetrator in cases of domestic violence, the implementation of other forms of gender-based violence—such as sexual harassment, stalking, rape, or economic violence—being recorded as gender-based crimes remains limited and inconsistent in practice.

⁵⁷ Romalítico, “[Letter of concern and request for information regarding the femicide of Ramayana Asan, a 36-year-old Roma woman from Šuto Orizari](https://romalitico.org/07/05/2025/vesti/pismo-za-zagrizenost-i-barane-za-informaczii-vo-vrska-so-femiczidot-na-ramajana-asan-36-godishna-romka-od-shuto-orizari/),” accessed May 29, 2025, <https://romalitico.org/07/05/2025/vesti/pismo-za-zagrizenost-i-barane-za-informaczii-vo-vrska-so-femiczidot-na-ramajana-asan-36-godishna-romka-od-shuto-orizari/>

⁵⁸ Romalítico, “[Letter of concern and request for information regarding the femicide of Ramayana Asan, a 36-year-old Roma woman from Šuto Orizari](https://romalitico.org/07/05/2025/vesti/pismo-za-zagrizenost-i-barane-za-informaczii-vo-vrska-so-femiczidot-na-ramajana-asan-36-godishna-romka-od-shuto-orizari/),” accessed May 29, 2025, <https://romalitico.org/07/05/2025/vesti/pismo-za-zagrizenost-i-barane-za-informaczii-vo-vrska-so-femiczidot-na-ramajana-asan-36-godishna-romka-od-shuto-orizari/>

⁵⁹ Republic of North Macedonia Ministry of Interior, ЗБИРНА АНАЛИЗА ЗА ВКУПЕН КРИМИНАЛИТЕТ 2010 – 2024, accessed on May 11, 2025, <https://mvr.gov.mk/page/statistiki>

36. Currently, institutions responsible for data collection,⁶⁰ particularly outside the context of domestic violence, lack harmonized methodologies, and the scope of administrative data remains narrow, fragmented, and incomplete. This hinders the effective development of evidence-based policies. There is also a lack of comprehensive statistics and data integration. Individual cases are not connected across institutions, making it impossible to track whether protective measures were issued or enforced, whether the case resulted in a conviction, or whether there was a recurrence of violence. Related, courts do not consistently document the relationship between the victim and the perpetrator, hindering the identification of femicide or violations of restraining orders.⁶¹
37. Although amendments to the Criminal Code now recognize rape by a spouse, extramarital partner, or intimate partner as an aggravated form of the crime,⁶² available statistics⁶³ explain that while the legal framework recognizes intimate partner rape as an aggravated offense, available prosecution data suggests that most rape cases reaching trial involve unknown perpetrators. This, in turn, points to a reporting gap—not necessarily a prosecutorial decision—but rather a reflection of survivors’ reluctance to report intimate partner sexual violence due to stigma, fear, or lack of trust in institutions.
38. Despite commitments on international⁶⁴ and national fronts, fragmented data collection across institutions, systematic failure to collect and analyze attempted and committed femicide.⁶⁵ The absence of a centralized, comprehensive database hampers the State's ability to develop and implement effective prevention strategies, fulfill due diligence, intervention, and support for victims. The invisibility of femicide due to a lack of data and not specifically naming the crime⁶⁶ precludes informed policy-making and improved institutional responses.
39. A legal and policy analysis conducted in July 2022 highlighted that, while the VAW and DV Law assigns data collection responsibilities to various institutions, including the NCB, the practical implementation of these provisions remains limited.⁶⁷ Consequently, the NCB on Gender-Based Violence has not undertaken any systematic efforts to improve data collection. CSOs have repeatedly proposed the establishment of a centralized, gender-sensitive database for cases of violence against women, but this has yet to be implemented.
40. The lack of systematic data impairs the State’s ability to prevent violence and hold institutions accountable. Furthermore, data are not disaggregated by ethnicity, disability, sexual orientation, or socio-economic status, making it impossible to assess the disproportionate impact of violence on marginalized groups such as Roma women or women with disabilities.

⁶⁰ The Ministry of Interior Affairs, the Ministry of Health, and the Ministry of Social Policy, Demography and Youth

⁶¹ Information on file with authors (2020-2025).

⁶² (Article 186)

⁶³ Republic of North Macedonia Ministry of Interior, ЗБИРНА АНАЛИЗА ЗА ВКУПЕН КРИМИНАЛИТЕТ 2010 – 2024, accessed on May 11, 2025, <https://mvr.gov.mk/page/statistiki>

⁶⁴ Press Release, United Nations Human Rights Office of the High Commissioner, UN rights expert calls all States to establish a ‘Femicide Watch,’ (November 23, 2015). Also available online at <https://www.ohchr.org/en/press-releases/2015/11/un-rights-expert-calls-all-states-establish-femicide-watch>

⁶⁵ Information file with the authors (2020-2025).

⁶⁶ Supra ¶¶ 20-21.

⁶⁷ Reactor- Research in Action, *Gender Statistics and Gender mainstreaming of the Statistical System of North Macedonia*, by Tanja Ivanova, Vaska Leshoska, and Irina Jolevska (Skopje, 2022), accessed on June 2, 2025, https://reactor.org.mk/en/wp-content/uploads/sites/4/2022/08/rodova_analiza_en-1.pdf?utm_

41. Suggested recommendations:

- Evaluate the implementation of the Protocol for mutual cooperation of competent institutions that is established in 2023 regarding its effectiveness of prevention, protection and cooperation between the institutions.
- Ensure transparency in the collection and publication of data related to cases of GBV, including information on state responses and due diligence obligations. This data should be regularly updated and publicly accessible to support accountability and policy development in the State.
- Establish a national observatory or centralized database on gender-based violence and femicide, ensuring regular, disaggregated, and harmonized data collection from all relevant institutions, including the police, judiciary, health system, and social services.
- Mandate the collection of data on the relationship between victims and perpetrators, including whether the violence occurred in the context of intimate partner relationships, and whether previous complaints or protective measures existed.
- Publish annual reports on femicide and other forms of violence against women, including institutional response times, conviction rates, and outcomes of protective orders, to promote transparency and accountability.
- Develop and institutionalize risk assessment protocols across all sectors, including police, prosecutors, social services, and courts, and ensure mandatory training for frontline professionals on how to detect and respond to high-risk cases.
- Ensure gender-sensitive media guidelines for reporting femicide and domestic violence, to avoid sensationalism, victim-blaming, or normalization of such crimes.

Services for Victims of Gender-Based Violence

42. In the LOIPR, the Committee requested data and information on the specialized service for victims of GBVAW.⁶⁸ In response to the LOIPR, North Macedonia provided existing services available for victims of domestic violence and other GBVAW abuses.⁶⁹

Marginalized Victims and Access to Services

43. The implementation of mandated victims-centered and rights-based services has been slow and inconsistent. Women from marginalized groups—such as Roma women, women with disabilities, and women living in rural areas—face compounded barriers in accessing protection and justice. These barriers are not only social or economic but are also embedded in the structural design and availability of specialized support services for victims of gender-based violence.

⁶⁸ Human Rights Committee, *List of issues prior to submission of the fourth periodic report of North Macedonia*, (Dec. 6, 2021), U.N. Doc. CCPR/C/MKD/QPR/4. ¶8.

⁶⁹ Human Rights Committee, *Fourth Periodic Report of the Republic of North Macedonia Under the International Covenant on Civil and Political Rights for the Period 2015-2022*, (Aug. 2023), U.N. Doc. ¶66; ¶67; ¶127; ¶136.

44. The overall network of specialized services remains fragmented, inconsistently resourced, and geographically limited.⁷⁰ Shelters, counseling centers, crisis services, and Referral Centers for victims of sexual violence are disproportionately concentrated in urban areas,⁷¹ leaving large portions of the country, particularly rural and remote regions, without accessible support. In some municipalities, no services are available at all, forcing victims to travel long distances to access support, often at their own expense, which creates a significant barrier for women with low incomes, women in isolated areas, or those with limited mobility.⁷²
45. Three Referral Centers for victims of sexual violence were established in 2018 in Skopje, Tetovo, and Kumanovo, with donor support. These centers were designed to function as one-stop facilities providing immediate medical, psychosocial, legal, and forensic services to survivors. All three centers are clustered in the north, leaving the southern, eastern, and rural regions without adequate access to these essential services.
46. Victims from marginalized groups—particularly Roma women and women from rural areas—are disproportionately affected by the poor distribution and inconsistent quality of services.⁷³ Stigma, discrimination, lack of outreach, and the absence of culturally competent staff further restrict their access to care.⁷⁴
47. Many existing services are physically inaccessible to women with disabilities. Shelters and Counselling Centers often lack ramps, adapted toilets, elevators, or visual and auditory communication tools to support deaf or blind women.⁷⁵ This effectively excludes women with physical, sensory, or cognitive impairments from receiving protection and care.
48. Staffing capacity is also a major concern. Many shelters are inadequately staffed, lack 24/7 support, and are housed in buildings that do not meet safety or privacy standards. Service centers operated by the State are often understaffed and run by general social workers or health professionals who have not received specialized training in trauma-informed care, gender-based violence, or inclusive service delivery. Counseling services are frequently limited to short-term interventions or one-time consultations, without the sustained psychological and social support that victims require to recover and rebuild their lives. Case management is

⁷⁰ GREVIO, GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), 7,46-48,98 accessed June 2, 2025, [https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_](https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_)

⁷¹ GREVIO, GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), 7,46-48,98 accessed June 2, 2025, https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_

⁷² Data on file with service providers based on reports from clients (2025).

⁷³ Association Initiative for Women's rights from Suto Orizari, Research on the Access and Functionality of the System for Protection of Romani Women Victims of Domestic Violence on the Territory of Skopje, by Tona Kareva, Salija Bekir Halim, et al. (March 22, 2022), accessed on June 2, 2025, <https://zenisutoorizari.org.mk/wp-content/uploads/2025/04/research.pdf>

⁷⁴ Association Initiative for Women's rights from Suto Orizari, Research on the Access and Functionality of the System for Protection of Romani Women Victims of Domestic Violence on the Territory of Skopje, by Tona Kareva, Salija Bekir Halim, et al. (March 22, 2022), accessed on June 2, 2025, <https://zenisutoorizari.org.mk/wp-content/uploads/2025/04/research.pdf>

⁷⁵ Information on file with authors (2020-2025).

fragmented or nonexistent.⁷⁶ As a result, the support provided is inadequate for the complex needs of women victims, especially those from vulnerable groups. Victims have reported being blamed, misunderstood, or re-traumatized by poorly trained staff.⁷⁷

Dysfunctional Referral Centers

49. Access to the three aforementioned Referral Centers⁷⁸ is still conditional upon immediate police reporting and prosecutorial order, creating significant barriers for many victims.⁷⁹ Women who do not report the assault immediately are unable to store forensic evidence for potential future use, denying them access to justice. This requirement for early reporting discourages victims from seeking support.
50. Centers do not perform on-site forensic examinations. Referral Centers for victims of sexual violence continue to operate under restrictive protocols⁸⁰ that condition access to services. Forensic evidence collection is still conducted outside the centers, usually at the Institute of Forensic Medicine, requiring additional travel, further exposing victims to re-traumatization, and often leading to the loss of crucial forensic evidence.⁸¹ There is no national protocol (ex. legal provisions) that allows for the collection and safe storage of forensic evidence without a police report and public prosecutor order.
51. Despite their existence for several years, public awareness of the Referral Centers remains extremely low, and the number of officially reported and processed cases is minimal.⁸² This indicates Centers are not fulfilling their intended preventive or protective function. Although the Ministry of Health has integrated the Centers into the public healthcare system, the lack of widespread awareness, uneven territorial coverage, and procedural limitations continue to undermine their accessibility and long-term effectiveness.

Challenges in Licensing and State Recognition of CSOs

52. Licensing of social service providers is a process that determines whether a provider meets the prescribed requirements for delivering social services. The Ministry of Social Policy, Demography and Youth is responsible for issuing work permits for social protection institutions and other social service providers in accordance with the Law on Social Protection.⁸³ The process involves submitting an application, reviewing documentation, conducting a field inspection by the Licensing Commission, which issues a final decision granting the license. Once licensed, providers are subject to regular supervision and annual evaluation.

⁷⁶ data on file with service providers based on reports from clients.

⁷⁷ Information on file with authors (2020-2025).

⁷⁸ Supra ¶45.

⁷⁹ See Criminal Procedure Law, https://jorm.gov.mk/wp-content/uploads/2016/03/Zakon_za_Krivicna_postapka_150_18112010-2.pdf

⁸⁰ See Criminal Procedure Law, https://jorm.gov.mk/wp-content/uploads/2016/03/Zakon_za_Krivicna_postapka_150_18112010-2.pdf

⁸¹ Information on file with authors (2020-2025).

⁸² Communication attempts with the Ministry of Health on file with authors.

⁸³ Law on Social Protection [Закон за социјалната заштита], Official Gazette of the Republic of North Macedonia, No. 104 (May 23, 2019), https://www.mtsp.gov.mk/content/pdf/zakoni/2019/28.5_zakon_SZ.pdf.

53. CSOs, especially women’s CSOs, have long been the main providers of specialized support services for women, including shelters and counseling centers. With the ratification of the Istanbul Convention,⁸⁴ organizations for women and women victims of gender-based violence and domestic violence are formally recognized as professional and expert providers of specialized services for women and children victims of gender-based violence and domestic violence. Organizations were formally recognized as potential service providers following the 2019 reform of the Law on Social Protection.⁸⁵ However, the licensing regime continues to impose disproportionate burdens that disadvantage CSOs and undermine their sustainability.
54. To obtain a license and qualify for state funding, CSOs must have a full-time staff member with specific formal qualifications, be operational for at least six months, and meet infrastructure and staffing criteria that are often unrealistic for grassroots organizations. Meanwhile, State-run services—such as those provided through Centers for Social Work—are not subject to the same scrutiny, and are often poorly resourced and lack qualified staff.⁸⁶
55. Other persistent challenges include complex procedures, high compliance costs for meeting facility and equipment standards, and low levels of government financing.⁸⁷ The strict requirements for hiring licensed professionals further complicate service delivery. These challenges have been repeatedly highlighted by CSOs through public discussions and advocacy initiatives. For instance, the Atlantic Council notes that CSOs were not consulted on the administrative reforms of 2022, during which funds for CSOs were cut and transferred to a new entity. This led to a boycott by CSOs, seriously affecting cooperation and trust between the government and the civil sector.⁸⁸
56. Even after obtaining a license—which is valid for five years—service providers must sign an administrative agreement with the Ministry. However, this agreement is valid for only one year and is required in order to receive public funding. Payments from the Ministry are made only for services already provided, rather than in advance. These payments are often delayed, creating serious cash flow issues and threatening continuity of service provision.
57. The initial Rulebook adopted in 2021 on the Norms and Standards for Delivering Counseling Services imposed strict requirements:⁸⁹ a minimum of 9 m² for individual counseling rooms, 12 m² for group sessions, and a kitchenette of at least 4 m². Staffing required at least one social worker and one psychologist with specialized licenses. Counseling was primarily regulated as an individual service.

⁸⁴ See obligations on Article Articles 8, 9, and 24 of the Istanbul convention

⁸⁵ Law on Social Protection [Закон за социјалната заштита], Official Gazette of the Republic of North Macedonia, No. 104 (May 23, 2019), https://www.mtsp.gov.mk/content/pdf/zakoni/2019/28.5_zakon_SZ.pdf.

⁸⁶ Information on file with authors (2020-2025).

⁸⁷ Macedonian enter for International Cooperation & Balkan Civil Society Development Network, Monitoring Matrix on Enabling Environment for Civil Society Development: Country Brief for North Macedonia 2022, by Snezhana Kamilovska Trpovska and Valentina Velickovska (April 2023), accessed June 2, 2025, https://rcgo.mk/wp-content/uploads/2023/08/north-macedonia-mm-brief-2022.pdf?utm_source

⁸⁸ Aleksej Demjanski et al., *North Macedonia: A reform agenda on the path to EU integration*, The Atlantic Council, Nov. 14, 2024, accessed June 2, 2025, https://www.atlanticcouncil.org/in-depth-research-reports/report/north-macedonia-a-reform-agenda-on-the-path-to-eu-integration/?utm_source=chatgpt.com

⁸⁹ Rulebook on the Norms and Standards for Delivering Counseling Services, Ministry of Labor and Social Policy, Official Gazette of the Republic of North Macedonia (2021), available at <https://www.mtsp.gov.mk>.

- 58. Amendments introduced in 2024 eased the process in several areas. Spatial requirements were reduced:⁹⁰ individual counseling rooms can now be 7 m², and kitchenettes require only basic equipment. The staffing requirement was made more flexible—allowing a single licensed professional to run the service, with additional staff needed only for centers offering three or more services. Group counseling was also introduced, allowing sessions for up to six users for primary and secondary services, and five users for tertiary services.
- 59. In terms of funding, the 2024 reform significantly changed the financing model for specialized GBV services by introducing new standardized service tariffs. These prices⁹¹ are not charged directly to clients but instead represent the amounts that CSOs are reimbursed by the Ministry for Social Policy, Demography, and Youth for each service provided—but only after a contract is signed and services are delivered. The reforms aimed at standardizing reimbursement, but have imposed new financial burdens on CSO service providers. Because funding is not provided in advance, organizations that operate with minimal or no core funding must cover salaries, rent, and other operational costs out of pocket, often waiting months to be reimbursed by the State.
- 60. Although services remain free for survivors, the limited contracts signed between the Ministry and CSOs restrict access, particularly in regions without licensed providers. Rising service costs, without systemic investment or expansion, leave survivors facing geographic, financial, and structural barriers. As a result, the reform has done little to improve access and may have worsened service fragmentation.⁹²

SOS Helpline Licensing

- 61. Women lead organizations must undergo the licensing process described above,⁹³ in line with the aforementioned Rulebook⁹⁴ and its 2024 amendments.⁹⁵ However, licensing for SOS helplines is not possible due to the absence of a relevant rulebook, which the Ministry of Social Policy, Demography, and Youth has not yet adopted.⁹⁶ The only official document currently available as part of the licensing requirements is the “Standards and Procedures for the

⁹⁰ Information on file with authors (2012-2025).
⁹¹ Primary services: Individual counseling – 875 MKD; group counseling – 251 MKD
 Secondary services: Individual – 1,926 MKD; group – 457 MKD
 Tertiary services (for perpetrators): Individual – 2,464 MKD; group – 710 MKD
 Tertiary services (for victims): Individual – 2,027 MKD; group – 580 MKD
⁹² Information on file with authors (2020-2025).
⁹³ Supra ¶¶52-56.
⁹⁴ (Standards and Procedures for the Operation of Licensed Providers of Specialized Services - SOS Hotline for Victims of Violence Against Women and Domestic Violence)
<https://www.mtsp.gov.mk/content/word/2021/standardi/%D0%A1%D0%A2%D0%90%D0%9D%D0%94%D0%90%D0%A0%D0%94-%D0%98-%D0%9F%D0%A0%D0%9E%D0%A6%D0%95%D0%94%D0%A3%D0%A0%D0%98-%D0%97%D0%90-%D0%A0%D0%90%D0%91%D0%9E%D0%A2%D0%90-%D0%9D%D0%90-%D0%A1%D0%9E%D0%A1-%D0%9B%D0%98%D0%9D%D0%98%D0%88%D0%90-%D0%97%D0%90-%D0%9F%D0%9E%D0%9C%D0%9E%D0%A8-%D0%9D%D0%90-%D0%96%D0%A0%D0%A2%D0%92%D0%98-%D0%9D%D0%90-%D0%9D%D0%90%D0%A1%D0%98%D0%9B%D0%A1%D0%A2%D0%92%D0%9E-%D0%92%D0%A0%D0%97-%D0%96%D0%95%D0%9D%D0%98-%D0%98-%D0%A1%D0%95%D0%9C%D0%95%D0%88%D0%9D%D0%9E-%D0%9D%D0%90%D0%A1%D0%98%D0%9B%D0%A1%D0%A2%D0%92%D0%9E.doc>
⁹⁵ Information on file with authors (2020-2025).
⁹⁶ Information on file with authors (2020-2025).

Operation of Licensed Providers of Specialized Services - SOS Hotline for Victims of Violence Against Women and Domestic Violence,”⁹⁷ issued by the Ministry. According to the Law on Social Protection,⁹⁸ there is no provision that allows for licensing of a service such as SOS helplines. As a result, it is impossible for them to be licensed or regulated. Currently, there are four SOS lines funded by the Ministry, all operated by women CSOs. Two of these helplines run shelters, one functions as a counseling hotline, and the fourth is a national free-of-charge mobile SOS helpline managed by the National Council for Gender Equality, which provides information and referrals.

62. Suggested recommendations:

- Amend the Law on Social Protection to include provisions for the regulation and licensing of SOS helpline services, thereby establishing a foundation for the Ministry to develop a dedicated licensing Rulebook.
- Consolidate the existing SOS helplines into a single, nationally coordinated 24/7 service for victims of DV and GBV to ensure more efficient, accessible, and consistent service delivery.
- The Ministry of Social Policy, Demography and Youth, in collaboration with WCSOs, should strengthen the visibility and public awareness of the national SOS helplines.
- Ensure that Referral Centers for victims of sexual violence operate independently of police reporting and receiving an order by public prosecution, guaranteeing immediate, unconditional access to medical care, psychosocial support, legal assistance, and forensic services without the obligation to file a complaint.
- Adopt a national protocol that enables the collection and secure long-term storage of forensic evidence at Referral Centers, without requiring immediate criminal proceedings, allowing victims time and autonomy to decide if and when to pursue justice.
- Guarantee the physical, informational, and financial accessibility of all specialized services by addressing compounded barriers faced by Roma women, women with disabilities, and rural women.
- This includes:
 - Ensuring geographic decentralization of services,

⁹⁷ (Standards and Procedures for the Operation of Licensed Providers of Specialized Services - SOS Hotline for Victims of Violence Against Women and Domestic Violence)
<https://www.mtsp.gov.mk/content/word/2021/standardi/%D0%A1%D0%A2%D0%90%D0%9D%D0%94%D0%90%D0%A0%D0%94-%D0%98-%D0%9F%D0%A0%D0%9E%D0%A6%D0%95%D0%94%D0%A3%D0%A0%D0%98-%D0%97%D0%90-%D0%A0%D0%90%D0%91%D0%9E%D0%A2%D0%90-%D0%9D%D0%90-%D0%A1%D0%9E%D0%A1-%D0%9B%D0%98%D0%9D%D0%98%D0%88%D0%90-%D0%97%D0%90-%D0%9F%D0%9E%D0%9C%D0%9E%D0%A8-%D0%9D%D0%90-%D0%96%D0%A0%D0%A2%D0%92%D0%98-%D0%9D%D0%90-%D0%9D%D0%90%D0%A1%D0%98%D0%9B%D0%A1%D0%A2%D0%92%D0%9E-%D0%92%D0%A0%D0%97-%D0%96%D0%95%D0%9D%D0%98-%D0%98-%D0%A1%D0%95%D0%9C%D0%95%D0%88%D0%9D%D0%9E-%D0%9D%D0%90%D0%A1%D0%98%D0%9B%D0%A1%D0%A2%D0%92%D0%9E.doc>

⁹⁸ (Law of Social protection) chrome-extension://efaidnbmnnnibpcajpcglefndmkaj/https://www.mtsp.gov.mk/content/pdf/zakoni/2019/28.5_zakon_S Z.pdf

- Adapting facilities and service delivery to accommodate women with disabilities,
- Employing culturally sensitive staff and offering free interpretation and translation services where necessary.
- Ensure available, accessible, and equitably distributed across the country specialized services, including shelters, crisis centers, counseling programs, and Referral Centers. Guarantee that all specialized services are adequately staffed with trained professionals in trauma-informed, gender-sensitive, and inclusive approaches, and that minimum quality standards apply equally to both state-run and NGO-run services.
- Provide stable, multi-year state funding for all existing and future specialized services for women victims of violence, ensuring long-term sustainability and service quality, and reducing dependence on short-term donor support.
- Remove the requirement for police reporting as a precondition to accessing referral centers, and enable forensic evidence to be collected and stored securely without obligating victims to initiate criminal proceedings.
- Provide dedicated, stable, and transparent public funding to women lead CSOs, recognizing their expertise and experience as essential to service provision, and ensure that licensing criteria are proportionate and do not indirectly exclude civil society actors.
- Harmonize licensing and quality standards across all service providers and apply them equally to state-run and NGO-run services, ensuring accountability and consistency in the quality of support provided.
- Mandate trauma-informed, victim-centered training for all professionals involved in providing services to women victims of violence, including healthcare workers, psychologists, social workers, and administrative personnel.
- Launch a national awareness campaign to inform women and the general public about the existence and role of referral centers, counseling services, and other support mechanisms.
- Ensure inclusion of marginalized women in service design and delivery, including accessibility for women with disabilities, culturally competent staff for Roma women, and translation services where needed.

IV. Access to Justice, independence of the judiciary and right to fair trial in relation to gender-based violence against women (arts 2, 3, 6, 7, 14 and 26, LOIPR 18).

Structural Obstacles in the Judicial System

63. Despite legal reforms addressing GBV, survivors continue to face severe barriers in accessing justice. Procedural justice remains limited in practice due to institutional bias, lack of specialized knowledge, and an absence of gender-sensitive interpretation of the law.
64. The justice system remains resistant to a gendered understanding of violence. Prosecutorial and judicial actors often fail to consider the history of violence or still lack sufficient understanding of psychological abuse, including the dynamics of coercive control, manipulation, threats, and isolation. These recurring behaviors, well-documented in both international guidance and local monitoring, are frequently overlooked in legal proceedings.

As a result, laws are applied in a gender-neutral and context-blind manner, disregarding the power imbalances rooted in gender norms and failing to fully account for the lived experiences of survivors.⁹⁹

65. Court monitoring conducted by civil society in 2023 and 2024 revealed that gender-based violence cases are often mishandled or minimized. In multiple cases involving intimate partner violence and femicide, court proceedings revealed that judges and other relevant actors still lack sufficient understanding of how perpetrators exert control through threats, manipulation, and isolation (known as coercive control), the psychological impact and trauma experienced by victims, and the measures necessary to ensure their real and ongoing safety.¹⁰⁰ Sentences are often overly lenient, with courts mitigating punishment by referring to the perpetrator’s “good character,” family circumstances, expression of remorse, or other mitigating factors, without adequately considering the severity and repeated nature of the violence.¹⁰¹ These practices amount to discriminatory treatment and fail to guarantee effective remedies.

Procedural Barriers and Secondary Victimization

66. Many victims of domestic, gender-based, and sexual violence abandon legal proceedings due to re-traumatization caused by the proceedings themselves. While procedural standards exist for conducting interviews with victims—such as ensuring sensitivity, avoiding repeated questioning, and providing psychosocial support—these are frequently not applied in practice.¹⁰² Victims are often required to repeat their testimony multiple times before various institutional actors, including police officers, social workers, public prosecutors, and court staff, without appropriate psychological support or legal representation. This results in a high degree of secondary victimization, discouraging survivors from continuing with prosecution.¹⁰³ In many of the monitored cases, institutional actors lacked training in trauma-informed approaches and failed to adapt procedures to the specific needs of survivors, in direct violation of both national laws¹⁰⁴ and international standards.¹⁰⁵
67. Although both civil and criminal laws provide for protective measures such as restraining and removal orders, their issuance remains inconsistent, and enforcement is often weak. Civil society organizations—including members of the National Network to End Violence Against Women—have documented multiple cases where survivors were forced to maintain contact

⁹⁹ GREVIO, GREVIO’s (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), accessed June 2, 2025, https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_

¹⁰⁰ Information on file with authors (2020-2025).

¹⁰¹ Information on file with authors (2020-2025).

¹⁰² Information on file with authors (2020-2025).

¹⁰³ Information on file with authors (2020-2025).

¹⁰⁴ Gender Equality Platform, Shadow Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in North Macedonia (Apr. 2022), accessed June 2, 2025, https://glasprotivnasilstvo.org.mk/wp-content/uploads/2022/07/Shadow-report-GREVIO-2022-Gender-Equality-Platform_April-2022.pdf

¹⁰⁵ Gender Equality Platform, Shadow Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in North Macedonia (Apr. 2022), accessed June 2, 2025, https://glasprotivnasilstvo.org.mk/wp-content/uploads/2022/07/Shadow-report-GREVIO-2022-Gender-Equality-Platform_April-2022.pdf

with perpetrators, often under institutional pressure “for the sake of the children” or to “preserve family unity.”¹⁰⁶ For example, in several monitored cases, judges and social workers encouraged mediation or visitation rights,¹⁰⁷ even in situations involving repeated violence or risk to the victim. This is contrary to the protective intent of the VAW and DV Law and violates principles under Article 31 of the Istanbul Convention,¹⁰⁸ which warns against forced mediation in cases of violence against women.

68. There is no requirement for judges or Centers for Social Work (CSW) professionals to receive specialized training on domestic violence and its impact on children.¹⁰⁹ As a result, decisions on child custody and visitation rights are often made without consideration of the broader context of abuse and treat such cases as isolated incidents. Judges and CSW workers fail to apply the principle that children who witness violence are victims themselves. This reflects the institutional failure to uphold the principle of the best interest of the child and the right to equality before the law.
69. The legal framework does not adequately provide for the automatic revocation or suspension of parental rights in cases of domestic violence. Even when a perpetrator is criminally convicted for domestic violence, the victim—usually the mother—must initiate a separate civil court procedure to limit or revoke custody or visitation rights.¹¹⁰ This process is often prolonged, financially burdensome, and deeply re-traumatizing, requiring the survivor to re-live the violence and prove that contact with the abusive parent is not in the child’s best interest.
70. Under current law, parental rights and custody are governed by the Family Law (Семеен закон), specifically Articles 75–79 and 79-a,¹¹¹ which outline conditions under which a parent may be deprived of parental rights. However, there is no automatic mechanism that triggers suspension of these rights upon a conviction for domestic violence. The decision remains

¹⁰⁶ Information on file with authors (2020-2025).

¹⁰⁷ GREVIO, GREVIO’s (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), accessed June 2, 2025, https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_

¹⁰⁸ GREVIO, GREVIO’s (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), accessed June 2, 2025, https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_

¹⁰⁹ GREVIO, GREVIO’s (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): North Macedonia (May 26, 2023), accessed June 2, 2025, https://www.mtsp.gov.mk/content/pdf/ednakvi%20moznosti/GREVIO-Inf%282023%295%20Final%20report%20on%20North%20Macedonia_eng.pdf?utm_

¹¹⁰ Family Law of the Republic of North Macedonia, Official Gazette No. 80/92, with amendments, particularly Articles 75–79 and Article 79-a. https://www.mtsp.gov.mk/wbstorage/files/zakon_osejstvo_osnoven.pdf; see also, Law on Prevention and Protection from Violence against Women and Domestic Violence, Official Gazette No. 18/21, which does not mandate automatic parental rights suspension following a conviction.

¹¹¹ Family Law of the Republic of North Macedonia, Official Gazette No. 80/92, with amendments, particularly Articles 75–79 and Article 79-a. https://www.mtsp.gov.mk/wbstorage/files/zakon_osejstvo_osnoven.pdf; see also, Law on Prevention and Protection from Violence against Women and Domestic Violence, Official Gazette No. 18/21, which does not mandate automatic parental rights suspension following a conviction.

entirely within the discretion of the civil court, and often does not reflect the criminal court's findings or the severity of the abuse.

Joint custody and parental alienation syndrome

71. Throughout the State Party Report, North Macedonia highlights the best interests of the child concerning the right to an education, especially if they belong to a minority group;¹¹² the right for protection and repatriation if they experience trafficking. Yet, the Report vaguely addresses the criminal-legal guarantees and protections for children who experience other forms of ill-treatment.¹¹³
72. Although the Family Law¹¹⁴ and the Draft Civil Code (in progress) recognize the institute of joint custody, the implementation of this concept is left to the voluntary agreement of the parents, rather than being a standard legal obligation. Articles 8, 45, 76, 78, 79, and 80 of the Family Law¹¹⁵ emphasize the equality of parents and promote joint decision-making in matters related to the child's care and upbringing. However, these provisions fail to establish mandatory criteria or default rules for joint parental responsibilities. Instead, they depend on mutual parental cooperation, which is often absent in high-conflict or abusive relationships. This legal gap leaves many children and custodial parents, often mothers, unprotected.
73. While the “best interests of the child” is a core standard in international law, the draft Civil Code only references this principle specifically in cases after marriage divorce, where one parent cannot perform their responsibilities due to illness, absence, or other justified reasons.¹¹⁶ This restricted application neglects situations involving domestic violence, where the safety and well-being of the child are directly compromised.
74. Judges and CSW staff often fail to distinguish between justified resistance to contact (based on trauma or fear) and so-called “parental alienation syndrome.” This pseudoscientific concept is increasingly being used to discredit mothers who oppose unsupervised contact between their children and the abusive parent. This leads to forced visitation or even custody decisions in favor of perpetrators, ignoring the psychological harm inflicted on the child and the mother.
75. The absence of clear protocols for assessing child exposure to violence has enabled subjective interpretation, reinforcing patriarchal biases. Civil society organizations report multiple cases in which family courts have ordered contact between children and violent fathers even while protective measures were in place for the mother.
76. In divorce and custody proceedings, institutions continue to disregard the structural nature of gender-based violence, often treating such cases as ‘family disputes’ or ‘high-conflict separations’ rather than manifestations of coercive control and prolonged abuse. This gender-insensitive approach neglects the unequal power dynamics between abusers and victims.

¹¹² Human Rights Committee, *Fourth Periodic Report of the Republic of North Macedonia Under the International Covenant on Civil and Political Rights for the Period 2015-2022*, (Aug. 2023), U.N. Doc. ¶¶211-217; ¶¶225-230; ¶124; ¶¶129-130; ¶138

¹¹³ Human Rights Committee, *Fourth Periodic Report of the Republic of North Macedonia Under the International Covenant on Civil and Political Rights for the Period 2015-2022*, (Aug. 2023), U.N. Doc. ¶¶218; ¶¶220-221

¹¹⁴ Official Gazette of the Republic of Macedonia No. 153/14.

¹¹⁵ Official Gazette of the RNM, No. 153/14

¹¹⁶ Council of Europe & European Union, *Draft Civil Code Review – North Macedonia: Child Rights in Focus*, ¶¶76, 87 (2024) (on file with author).

Survivors of intimate partner violence are often discredited or portrayed as "uncooperative mothers" during custody disputes, while violent fathers are allowed to assert their parental rights.¹¹⁷ Courts and CSW staff frequently prioritize the principle of maintaining contact with both parents, even when one parent has a documented history of violence.¹¹⁸

77. Suggested recommendations:

- The new legal provisions should include a clear and detailed definition of the "best interests of the child," aligned with Article 3 of the UN Convention on the Rights of the Child and Article 31 of the Istanbul Convention. This definition should include assessment of the child's best interests and must take into account the individual views and requests of the child;
- Review of proposed provisions for joint custody and analyze the „best interest of the child” principle;
- The Law must explicitly prohibit the application of joint custody arrangements in situations involving gender-based violence, domestic violence, or coercive control, regardless of whether criminal proceedings are ongoing or concluded;
- A comprehensive legal and social impact assessment should be conducted to analyze the effects of joint custody after divorce.
- Ensure that all justice sector professionals (judges, prosecutors, legal aid attorneys, police) receive mandatory and continuous training on gender-based violence, trauma-informed approaches, and victim protection standards, in line with international human rights law.
- Establish specialized courtrooms or proceedings for cases involving violence against women, with safeguards that prevent re-traumatization, including separate waiting areas, use of video testimony, and protective measures for victims and witnesses.
- Ensure the consistent application and enforcement of protective measures, such as restraining orders, removal of the perpetrator from the home, and restrictions on communication with victims and children.
- Introduce gender-sensitive sentencing guidelines for crimes involving violence against women to prevent mitigation based on stereotypes or victim-blaming narratives.
- Collect and publicly report disaggregated data on criminal justice outcomes in VAW cases, including the number of charges filed, convictions secured, sentences issued, and the relationship between perpetrator and victim.
- Ensure that family court decisions—including custody and visitation—take into account the full pattern of abuse, and that courts treat exposure of children to domestic violence as a serious factor in determining the best interests of the child.
- Ensure that domestic violence, including psychological abuse and coercive control, is systematically considered in all custody and visitation decisions, and that children exposed to such violence are recognized as victims with specific protection needs.

¹¹⁷ Information on file with the authors (2020-2025).

¹¹⁸ Information on file with the authors (2020-2025).

- Prohibit the use of the concept of “parental alienation” in legal and administrative proceedings involving domestic violence, recognizing its discriminatory and non-evidence-based nature.
- Provide mandatory, specialized training for judges, CSW staff, and other family court actors on the dynamics of domestic violence, child trauma, and the impact of coercive control on parenting and custody.
- Amend family law provisions to allow for the automatic initiation of procedures to restrict or revoke parental rights when a parent is convicted of domestic violence or subject to a restraining order.
- Prohibit all contact between children and perpetrators during ongoing criminal or protective proceedings, unless explicitly requested by the child and supported by independent psychological assessment.
- Develop national protocols for risk assessment in family law cases that include gender-sensitive indicators and clear guidance on balancing parental rights with child safety and survivor protection.
- Ensure the availability of specialized, supervised visitation services where contact is deemed in the child’s best interest, with properly trained staff and security protocols.

V. Reintegration, Housing, and Economic Empowerment (Articles 2, 3, and 26 of the ICCPR)

Legal Obligations and Implementation Gaps

78. The VAW and DV Law mandates that the State ensure reintegration support for survivors, including access to temporary housing, psychosocial assistance, education and training, and financial measures.¹¹⁹ Article 99 outlines the obligation of institutions to recognize women victims of violence as a vulnerable category and respond to their reintegration needs.¹²⁰ The implementation of these legal obligations remains severely delayed and insufficient.
79. After more than three years of stagnation, the Government formally adopted a Reintegration Program in September 2024.¹²¹ However, the adopted document remains largely conceptual and lacks operational clarity, budgetary commitment, implementation timelines, and defined institutional responsibilities. This results in symbolic compliance without effective realization of the rights to an effective remedy and equal enjoyment of civil and political rights.

¹¹⁹ Law on Prevention and Protection from Violence against Women and Domestic Violence, Ministry of Labor and Social Policy of the Republic of North Macedonia, Article 99, <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.mtsp.gov.mk%2Fcontent%2Fword%2Fzakon%2FGBV%2520Law%2520eng.docx&wdOrigin=BROWSELINK>

¹²⁰ Law on Prevention and Protection from Violence against Women and Domestic Violence, Ministry of Labor and Social Policy of the Republic of North Macedonia, Article 99, <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.mtsp.gov.mk%2Fcontent%2Fword%2Fzakon%2FGBV%2520Law%2520eng.docx&wdOrigin=BROWSELINK>

¹²¹ Information on file with the authors (2020-2025).

80. The right to property and inheritance is formally guaranteed by the Constitution and relevant legislation,¹²² however, in practice, there are deep gender inequalities that limit women's ability to control or access property. According to administrative data provided by the Agency for Real Estate Cadaster,¹²³ as of 2023, only 29% of registered property owners are women, while 71% are men, a trend consistent across all regions of the country. This reveals a significant gender gap in property ownership, which directly affects women's ability to secure independent housing when fleeing gender-based and domestic violence.
81. The legal framework is, in principle, non-discriminatory, but its implementation faces serious challenges rooted in social norms and cultural practices. An example is the tradition of assigning inheritance rights exclusively to sons. While inheritance law reinforces the constitutional principle of equality, women often relinquish their inheritance rights due to social and familial pressures. In the absence of effective mechanisms for legal protection and empowerment, this leads to the systematic exclusion of women from property ownership. Legal ambiguities in the registration of joint property often lead to real estate being registered solely in the husband's name. As consequence, women ensure legal insecurity because they may have contributed to the property but are not formally recognized as co-owners.
82. The housing issue is further exacerbated by economic inequality between men and women. Only 38.8% of women are employed, compared to 55.9% of men,¹²⁴ and women are significantly overrepresented among unpaid family workers, particularly in agriculture. Although many women contribute substantially to family farming, they rarely own the land they cultivate, limiting their ability to leverage property as a financial resource, for example, to obtain housing or achieve economic independence.

Absence of Transitional Housing and Risk of Re-Victimization

83. A particularly alarming gap is the complete absence of transitional housing options for victims of violence. Shelters are temporary and limited to six months, with a potential three-month extension in exceptional cases, but not exceeding one year. After exiting shelter accommodation, many survivors have no access to safe housing and are either forced to return to violent environments or face homelessness.¹²⁵ This systemic failure exposes them to chronic insecurity, economic hardship, and re-victimization.
84. Women victims of violence are not recognized as a priority group in national or local social housing policies. This omission directly violates their right to equal protection before the law (Article 26) and undermines their ability to rebuild independent lives.

¹²² Zakon za nasleduvanje [Law on Inheritance], *Služben vesnik na Republika Severna Makedonija* [Official Gazette of the Republic of North Macedonia], No. 47/96 (1996), available at <https://www.pravda.gov.mk/upload/Documents/Закон%20за%20наследувањето.pdf>; see also, Ustav na Republika Severna Makedonija [Constitution of the Republic of North Macedonia], *Služben vesnik na Republika Severna Makedonija* [Official Gazette of the Republic of North Macedonia], No. 52/1991, as amended, available at <https://www.sobranie.mk/content/Odluki%20USTAV/UstavSRSM.pdf>.

¹²³ Gender_analysys_women_property_ownership-Reactor - Research in action 2024 https://reactor.org.mk/wp-content/uploads/2024/11/gender_analysys_women_property_ownership_mk-1.pdf

¹²⁴ Gender_analysys_women_property_ownership-Reactor - Research in action 2024 https://reactor.org.mk/wp-content/uploads/2024/11/gender_analysys_women_property_ownership_mk-1.pdf

¹²⁵ Information on file with authors (2020-2025).

Lack of Economic Empowerment and Institutional Coordination

85. The current reintegration model does not include structured economic empowerment measures for survivors, such as vocational training, job placement services, or access to grants for self-employment. Survivors face multiple economic barriers—unemployment, lack of childcare, and stigma—which significantly impede their ability to achieve financial independence and long-term safety.¹²⁶
86. Moreover, the absence of coordination between relevant sectors—social services, employment offices, education, healthcare, and local governments—renders any existing measures ineffective or unsustainable. Reintegration requires a holistic and victim-centered response that addresses the full range of material, emotional, and legal needs. The fragmentation of services constitutes a violation of the State’s obligation to ensure effective redress and recovery for victims of violence.¹²⁷

Intersectional Impact

87. Women with disabilities, Roma women, single mothers, and rural residents face even greater reintegration challenges due to systemic discrimination, inaccessible services, and a lack of tailored support. For example, survivors with disabilities are often excluded from housing services due to architectural inaccessibility or a lack of staff trained in inclusive support. Roma women report increased stigmatization and distrust from authorities, further limiting their access to economic assistance or secure housing.
88. **Suggested recommendations:**
 - Revise the Reintegration Program to include clear institutional responsibilities, timelines, indicators, and budget allocations, ensuring its full and sustainable implementation at national and local levels.
 - Establish a network of transitional housing facilities for survivors of violence, ensuring access to supportive accommodation for a period of 12–24 months following shelter exit, with wrap-around services.
 - Amend the Law on Housing and relevant social protection regulations to designate women victims of violence as a priority group for subsidized housing and rental assistance schemes.
 - Incorporate comprehensive economic empowerment measures into the Reintegration Program, including access to vocational training, job placement, childcare support, and micro-grants for survivors wishing to start small businesses.
 - Introduce a legal provision for at least 10 working days of paid leave for victims of domestic violence, enabling them to manage court proceedings, relocate, and stabilize their lives without risking employment.
 - Ensure intersectoral coordination mechanisms between health, education, employment, and social protection services, including the appointment of dedicated reintegration case managers in each municipality.

¹²⁶ Information on file with authors (2020-2025).

¹²⁷ As outlined in General Comment No. 31 on Article 2 of the ICCPR.

- Allocate ring-fenced state budget funds for reintegration and housing programs for women victims of violence, independent of donor contributions, and ensure transparent monitoring of resource distribution.
- Ensure reintegration programs are inclusive of marginalized women, particularly women with disabilities, Roma women, and rural women, through accessible infrastructure, culturally sensitive outreach, and tailored services.
- Undertake legal amendments to ensure mandatory joint property registration, targeted policies for women's economic empowerment, and the development of accessible forms of transitional and supported housing must be prioritized as part of the broader gender-based violence protection framework.

VI. Representation of women in leadership positions

89. In the LOIPR, The Committee requested any information that pertains to the advancements of gender equality.¹²⁸ In the State Party Report, the government report an increase in women's participation as entrepreneurs and in the public sector between 2020 and 2021, while still recognizing how the wage gap remained disproportionate between male and female workers.¹²⁹
90. The Law on Equal Opportunities for Women and Men¹³⁰ provides the main framework by which gender equality issues are regulated. Article 7(3) regulates special measures.¹³¹ This measure is implemented in the Electoral Code, Article 64(5).
91. As of the current composition of the Parliament, 47 out of 120 Members of Parliament are women,¹³² representing 39% of the total. In the list of candidates for members of parliament referred to in the second paragraph of the Electoral Code Article 64(5) and for members of the municipal council and the city of Skopje referred to in the third paragraph of this Article, more than 40% of the candidates shall succeed the less represented sex and in every three seats, one seat shall be lost to the less represented sex and more than one seat shall be lost to the less represented sex in every ten seats.¹³³ While the gender quota of 40% female representation on candidate lists was fulfilled during the electoral process, this target has not been fully achieved in the final composition of the Parliament due to the dynamics of electoral outcomes.
92. There is a significant lack of women's representation in leadership positions, with only 2 women serving as mayors out of 81 municipalities, representing 2% and just 3 women holding

¹²⁸ Human Rights Committee, *List of issues prior to submission of the fourth periodic report of North Macedonia*, (Dec. 6, 2021), U.N. Doc. CCPR/C/MKD/QPR/4. ¶7.

¹²⁹ Human Rights Committee, *Fourth Periodic Report of the Republic of North Macedonia Under the International Covenant on Civil and Political Rights for the Period 2015-2022*, (Aug. 2023), U.N. Doc. ¶¶46-47, 50-52.

¹³⁰ First adopted in 2006 and was further amended in 2012 as well as 2014

¹³¹ Law of Equal Opportunities between Women and Men, 2012, available at [https://legislationline.org/sites/default/files/2025-04/mac207712.pdf#:~:text=\(1\)%20The%20Government%20of%20the,and%20special%20measures%20determine%20by](https://legislationline.org/sites/default/files/2025-04/mac207712.pdf#:~:text=(1)%20The%20Government%20of%20the,and%20special%20measures%20determine%20by)

¹³² Parliament of the Republic of North Macedonia, "Пратеници," accessed May 30, 2025, <https://www.sobranie.mk/pratenici-vo-parlament.nspix>

¹³³ *Izboren zakonik* [Electoral Code], *Služben vesnik na Republika Severna Makedonija* [Official Gazette of the Republic of North Macedonia], No. 40/2006, art. 64(5), as amended, available at https://dzt.mk/sites/default/files/2021-10/Izboren_zakonik_precisten_tekst_0.pdf.

ministerial positions out of 23 positions in the government, representing 16%.¹³⁴ The underrepresentation of women in leadership positions reflects a broader lack of awareness and persistent societal distrust in appointing women to higher level roles. It highlights the continued influence of gender stereotypes and the systemic barriers that women face in accessing positions of power.

93. Suggested recommendations:

- Amend the Law on Equal Opportunities for Women and Men and the Electoral Law to introduce applicable provisions on gender quotas. Explicitly amend to establish economic sanctions that political parties that do not respect the legally prescribed gender quotas will face financial penalties, including a reduction in state subsidies. Furthermore, amend that political parties that do not comply with the regulations may be subject to restrictions on participation in certain local or national elections.

¹³⁴ Please refer to this webpage for information on ministry positions: <https://vlada.mk/sostav-na-vladata>