

Report of the Macedonian Young Lawyers Association (MYLA) to GREVIO

Monitoring the Implementation of the Istanbul Convention in North Macedonia

Submitted by:

Macedonian Young Lawyers Association

Country:

North Macedonia

Reporting Period:

2023-2026

Date of Submission:

18.09.2026

Submitted to:

Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

Contact:

Macedonian Young Lawyers Association

contact@myla.org.mk

www.myla.org.mk

A. WOMEN SEEKING INTERNATIONAL PROTECTION

Relevant provisions: Articles 7, 11, 18, 20 and 22; emerging trends in asylum and international protection

MYLA has provided legal assistance to asylum seekers and monitored reception and transit facilities in North Macedonia for many years. Its recent monitoring indicates some positive developments in the treatment of women and other persons in vulnerable situations but also shows that important gaps identified during GREVIO's baseline evaluation remain relevant in practice.

A1. Gender-sensitive asylum procedures and identification of gender-based violence

The procedural framework has improved in several respects. Female asylum seekers are generally interviewed by female case officers, interpretation is increasingly provided directly by the Sector for Asylum, and Standard Operating Procedures for Children and Other Vulnerable Categories of Foreigners¹ were adopted in 2024. Persons identified as vulnerable are not subjected to accelerated procedures. Vulnerability screening has also improved, particularly since the deployment of Frontex in 2023. These are positive developments relevant to the implementation of the Convention.

MYLA's monitoring nevertheless indicates a distinction between the formal and technical safeguards available during the asylum procedure and the substantive identification and assessment of gender-based protection needs. Immediate vulnerability assessments are still not consistently conducted in individual cases. While the Reception Centre for Asylum Seekers has psychologists and social workers, officials from the Sector for Asylum are not permanently present there. Until early 2026, initial registration interviews were conducted online; currently, officials travel to the Reception Centre to interview applicants identified as vulnerable².

More importantly, MYLA considers that the assessment of gender-related asylum claims still requires improvement. In practice, country-of-origin information is not always sufficiently used in the assessment of claims, while gender-related persecution is not systematically captured in available asylum statistics. Consequently, it is difficult to establish how often gender-based violence or gender-related persecution is raised as a basis for international protection, how such claims are assessed and what outcomes they receive³. This is significant because GREVIO's baseline evaluation already emphasised that gender-sensitive asylum procedures must enable women to disclose their experiences and require grounds of persecution to be interpreted in a gender-sensitive manner.⁴

MYLA's earlier casework illustrates how these gaps may affect individual asylum claims. Between 2019 and 2023, MYLA followed three cases involving women who had reported gender-based violence or gender-related persecution. One concerned a woman from Yemen who reported violence in her country of origin and later violence allegedly committed by her partner in North Macedonia. Although she was interviewed by the Centre for Social Work, no specialised protection measures appeared to have been taken. Her asylum claim was initially rejected and she later reportedly received subsidiary protection, but left the country shortly afterwards.

¹ Ministry of Social Policy, Demography and Youth, Standard Operating Procedures for Children and Other Vulnerable Categories of Foreigners, 2024.

² Macedonian Young Lawyers Association (MYLA), monitoring findings concerning asylum procedures in North Macedonia, 2026.

³ Macedonian Young Lawyers Association (MYLA), monitoring findings concerning asylum procedures in North Macedonia, 2026.

⁴ GREVIO, 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, GREVIO/Inf(2023)5, 2023, paras. 379-387.

In another case, an Afghan woman who reported persecution and gender-based violence was denied protection after the authorities questioned the credibility of her account. A third case concerned a Russian woman who had experienced severe domestic violence and reported that the authorities in her country of origin had failed to protect her. Her asylum application was rejected, but the Administrative Court later annulled the decision and returned the case for reconsideration. By that time, however, she had already left North Macedonia.

Although these cases pre-date the current reporting period, MYLA has not identified significant changes in the assessment framework that would make the concerns they illustrate irrelevant. In particular, the absence of systematic data on gender-related asylum claims and the continued weaknesses in the assessment of gender-related persecution make it difficult to establish whether such claims are now identified and assessed more effectively.

A2. Access to support and reception conditions

MYLA's monitoring also indicates that access to support differs significantly depending on the facility in which a woman is accommodated. Conditions at Vinojug are comparatively better, including procedures allowing women and girls to be separated where necessary and the presence of staff supporting women and children. Specialist support at Tabanovce is considerably more limited, with no regular psychosocial or child-friendly support.⁵

The situation at the Reception Centre for Asylum Seekers in Vizbegovo raises additional concerns. Activities previously provided by NGOs, including language classes, educational support and activities for children, are no longer available. Since the beginning of 2026, there has been no doctor permanently present at the centre and regular medical monitoring is lacking. Interpretation is limited and remains largely dependent on international organisations and NGOs. Access to the labour market also remains unavailable in practice.⁶ At the same time, MYLA notes as positive developments that vulnerability screening has improved and that informal returns at the southern border, which had previously raised concerns, are no longer reported.

These findings provide important context to the State Report. The State indicates that no separate resources are earmarked for migrant or refugee women, but states that specialised support programmes cover all victims irrespective of status, including migrant women, refugee women and women seeking asylum.⁷ MYLA's monitoring suggests that formal inclusion within the general system does not necessarily result in equal practical access to specialist support. In particular, the availability of interpretation, healthcare, psychosocial assistance and specialised support for gender-based violence remains uneven and, in some settings, dependent on international organisations and NGOs rather than being continuously available through the state protection system.

This distinction is important for Articles 20 and 22 of the Convention. The relevant question is not only whether women seeking international protection are formally eligible for services, but whether those services are actually available and accessible when needed. MYLA's findings indicate that this is not yet consistently the case, particularly for women with children and women accommodated in facilities with limited specialist capacity.

A separate issue arises in relation to migrant women outside the asylum procedure.

MYLA has also encountered migrant women outside the asylum procedure whose circumstances may require particular attention to vulnerability and possible exposure to violence or exploitation. This includes women migrant workers, primarily from Nepal and Bangladesh, who have reported poor working conditions, including excessive working hours and inadequate remuneration, and who were subsequently placed in the Reception Centre for Foreigners after attempting to leave North Macedonia irregularly. MYLA has limited access to women

⁵ Macedonian Young Lawyers Association (MYLA), monitoring findings concerning the transit centres Vinojug and Tabanovce, 2026.

⁶ Macedonian Young Lawyers Association (MYLA), monitoring findings concerning the Reception Centre for Asylum Seekers in Vizbegovo, 2026.

⁷ Government of the Republic of North Macedonia, Report submitted pursuant to Article 68, paragraph 3 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, First Thematic Evaluation Round, GREVIO/Inf(2026)1, 2026, response to Article 8, Question 5.

accommodated in this facility and, on the basis of the information available, cannot establish whether any of these women had experienced gender-based violence or other forms of exploitation. The limited opportunity for independent identification and support is nevertheless relevant where return may take place shortly after detention.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- ensure that gender-based violence and gender-related persecution are systematically identified and assessed throughout the asylum procedure, including through consistent vulnerability assessment and adequate use of relevant country-of-origin information;
- systematically collect data on asylum claims involving gender-related persecution and their outcomes;
- ensure effective access for women seeking international protection to interpretation, healthcare, psychosocial assistance and specialist gender-based violence services, irrespective of the reception or transit facility in which they are accommodated; and
- ensure the sustainable availability of such services within the regular protection system, rather than relying predominantly on international organisations and NGOs.

MYLA further invites GREVIO to examine whether migrant women outside the asylum procedure, including women migrant workers placed in the Reception Centre for Foreigners, have an effective opportunity to disclose gender-based violence or exploitation and to have any protection needs identified before decisions concerning their return are implemented.

B. VICTIM-CENTRED INSTITUTIONAL RESPONSE

Relevant provisions: Articles 18 and 20

GREVIO's baseline evaluation identified shortcomings in the extent to which the nature and dynamics of gender-based violence and the relationship between victim and perpetrator are understood and taken into account by professionals. Article 18(3) of the Convention requires protection and support measures to focus on the rights and safety of the victim, avoid secondary victimisation, promote empowerment and economic independence and respond to the specific circumstances and needs of victims.⁸ MYLA's experience indicates that these principles are not yet consistently reflected in the way in which victims are expected to navigate the protection system.

Practical barriers may arise from the organisation of the institutions themselves. Services within Centres for Social Work are predominantly available during regular working hours. Employed victims may therefore need to take time off work to report violence, attend meetings or complete procedures, sometimes on several occasions, with possible financial consequences. Victims may also be required to approach several institutions in order to exercise interconnected rights. As discussed in the section on free legal aid, access to the more favourable legal-aid regime for temporary protection measures requires confirmation from the Centre for Social Work, even where other documentation of the violence exists, while primary legal aid does not expressly provide for accompaniment before institutions. These requirements may create additional procedural burdens precisely at the stage when a victim is seeking protection.

A further manifestation of the same problem concerns institutional decision-making. Civil society organisations working directly with victims have documented cases in which Centres for Social Work proposed temporary protection measures against both parents although the woman had

⁸ GREVIO, *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*, GREVIO/Inf(2023)5, 2023, para. 304; Council of Europe Convention on preventing and combating violence against women and domestic violence, Article 18(3).

previously reported and documented domestic violence and sought institutional protection. MYLA has encountered similar cases, as well as cases in which women already identified and supported as victims were referred to counselling or programmes intended for perpetrators. Treating the parties symmetrically without an individual assessment of their conduct and of the history and dynamics of the violence may obscure the distinction between perpetrating behaviour and defensive or reactive conduct by the victim, shift responsibility for the violence onto her and result in secondary victimisation.

Taken together, these examples indicate that the implementation of a victim-centred approach should be assessed not only through the formal availability of protection mechanisms, but also through the way in which victims are able to access and experience the protection system in practice. This includes the organisation and working arrangements of institutions, the number of institutional contacts required to exercise interconnected rights, the procedural burdens placed on victims and whether institutional decisions reflect the history and dynamics of the violence.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- organise the protection and support system in a manner that ensures practical access to services for victims, including women whose employment or other circumstances make access during regular institutional working hours difficult;
- minimise unnecessary administrative and procedural burdens and ensure effective referral and co-ordination between institutions, so that victims are not required to navigate multiple procedures or repeatedly recount their experiences of violence;
- ensure that assessments and protection measures take into account the history and dynamics of domestic violence and clearly distinguish perpetrating behaviour from defensive or reactive conduct by victims; and
- prevent practices that may result in secondary victimisation, including the imposition of protection measures on both parties or the referral of previously identified victims to perpetrator programmes without an adequate individual assessment of the circumstances of the violence.

C. CHILDREN EXPOSED TO DOMESTIC VIOLENCE AND THE BEST INTERESTS OF THE CHILD

Relevant provisions: Articles 18, 26, 31, 51 and 53

MYLA's casework indicates that the best interests and safety of children exposed to domestic violence are not yet consistently assessed in the context of the violence affecting the family. Although the legal framework provides mechanisms for protecting children and allows restrictions on contact with a parent where required by the child's best interests and safety, children who witness violence against their mother are not consistently recognised and treated as victims in their own right.⁹

This has consequences across different stages of the protection system. In proceedings concerning temporary protection measures, MYLA has encountered cases in which restraining, no-contact or other measures protect the mother but do not expressly extend to children who witnessed the violence. The result may be that the perpetrator is prohibited from approaching

⁹ Macedonian Young Lawyers Association (MYLA), findings from the provision of legal assistance to victims of domestic violence concerning child witnesses, temporary protection measures and visitation rights.

or contacting the mother while continuing to have contact or visitation with the child.¹⁰ In such circumstances, the protection of the woman and the protection of the child are treated separately even though their safety may be closely interconnected.

Similar difficulties arise in custody and visitation decisions. MYLA's experience indicates that domestic violence against the other parent is not consistently treated as a central safety consideration when arrangements concerning children are determined. Children may continue to be approached primarily from the perspective of maintaining parental contact rather than through an assessment of the history and dynamics of the violence, its impact on the child and the risks associated with continued contact. MYLA has encountered situations in which contact with the perpetrator continues or is facilitated despite domestic violence against the other parent.¹¹ Visitation arrangements may also result in repeated direct contact between the victim and perpetrator during the handover of the child, creating a further risk of control, intimidation or re-victimisation.

The State Report presents a more positive picture. It states that children are explicitly included among persons protected by protection orders, including where they are direct victims or witnesses of violence, and that prohibitions on contact may also be imposed in relation to children.¹² MYLA does not dispute the existence of these legal possibilities. Its casework indicates, however, that they are not consistently translated into protection in individual cases. The State Report itself contains information showing that domestic violence is not uniformly considered in decisions regulating custody and contact.¹³ The relevant gap therefore concerns the practical application of these safeguards and the way in which the best interests of the child are assessed where domestic violence is present.

A further concern arises where the child's exposure to domestic violence is treated as a basis for attributing responsibility to the victim-parent. The fact that a child has witnessed or otherwise been exposed to violence does not in itself establish that the non-abusive parent has perpetrated violence against the child. Where there are allegations that the victim-parent has independently harmed the child, these must be assessed and addressed. However, such responsibility should result from an individual and reasoned assessment of the parent's conduct and the child's circumstances, rather than being inferred from the child's exposure to domestic violence or from defensive or reactive conduct by the victim. An assessment of the child's best interests should therefore distinguish between the perpetration of violence, exposure to violence and the actions of a parent attempting to respond to or protect against violence.

MYLA has raised these issues in the multi-sectoral working group established in 2026, proposing that children witnessing domestic violence be expressly recognised as child victims and that temporary protection measures be capable of extending directly to them, including through restriction or prohibition of contact and visitation where required by their safety and best interests.¹⁴

Recommendations

MYLA invites GREVIO to call on the authorities to:

- ensure that children who witness domestic violence or live in an environment where such violence occurs are consistently recognised and treated as victims in their own right;

¹⁰ Macedonian Young Lawyers Association (MYLA), findings from the provision of legal assistance to victims of domestic violence concerning the position of child witnesses and the application of temporary protection measures.

¹¹ Macedonian Young Lawyers Association (MYLA), findings from the provision of legal assistance to victims of domestic violence concerning child witnesses, custody and visitation rights.

¹² Government of the Republic of North Macedonia, *Report submitted pursuant to Article 68, paragraph 3 of the Istanbul Convention, First Thematic Evaluation Round*, GREVIO/Inf(2026)1, 2026, response under Article 53

¹³ Government of the Republic of North Macedonia, *Report submitted pursuant to Article 68, paragraph 3 of the Istanbul Convention, First Thematic Evaluation Round*, GREVIO/Inf(2026)1, 2026, response concerning custody and visitation under Article 31

¹⁴ Macedonian Young Lawyers Association (MYLA), written submissions within the multi-sectoral working group for urgent legislative amendments concerning the protection of women victims of violence, 2026

- ensure individual risk and needs assessments for each child exposed to domestic violence and that the child's status as a victim is reflected in protection measures, including measures concerning contact and visitation with the perpetrator;
- ensure that any history, incidents or allegations of domestic violence, including violence against the non-abusive parent and violence witnessed by the child, are systematically taken into account in custody and visitation proceedings;
- ensure that the safety and best interests of the child take precedence over parental agreements and contact or visitation rights, and that contact with the perpetrator is restricted, supervised or suspended where necessary; and
- ensure that institutional assessments distinguish between a child's exposure to domestic violence and conduct that would establish violence against the child by the victim-parent, so that responsibility for the child's exposure to violence is not attributed to the non-abusive parent solely on that basis.

D. DUE DILIGENCE, RISK ASSESSMENT AND IMMEDIATE PROTECTION

Relevant provisions: Articles 5(2), 18, 49–51

North Macedonia has established a formal framework for responding to violence against women and domestic violence, including procedures for risk assessment, risk management, multi-agency co-operation and protection measures. The applicable procedures require assessment of risks to the life and physical and psychological integrity of the victim and members of her family, the likelihood of repeated violence, appropriate risk-management measures and monitoring of protection measures.¹⁵ The central issue is therefore not the absence of formal procedures, but whether the authorities act on available information with the diligence and urgency required to prevent further violence and protect victims.

This is particularly relevant to the due diligence obligation under Article 5(2) of the Convention. GREVIO's baseline evaluation found that, despite existing procedures, risk assessments were not always conducted systematically or in sufficient detail and identified shortcomings in co-operation and information-sharing between the police and social protection services.¹⁶ MYLA's experience indicates that the effectiveness of the response continues to depend on whether information held by different institutions is brought together, whether changes in risk are recognised over time and whether the assessment results in timely and concrete protective action. The completion of individual procedural steps, including a risk-assessment form, cannot in itself demonstrate an effective response where relevant information is fragmented between institutions or does not lead to appropriate risk-management measures.

These issues received renewed attention in March 2026 following the deaths of a woman and her six-year-old daughter in a context in which domestic violence had previously been reported. The National Co-ordination Body for the implementation of the Istanbul Convention subsequently held an emergency extended session and established a multi-sectoral working group tasked with identifying gaps and proposing urgent legislative and procedural changes. MYLA participates in this working group.¹⁷ Without prejudging responsibility in an individual case, the circumstances demonstrate the importance of examining the institutional response as a whole: what information was available to the relevant authorities at different stages, whether it was shared

¹⁵ Rulebook on the manner of conducting risk assessment, risk management and implementation and monitoring of protection measures, Official Gazette of the Republic of North Macedonia No. 198/2025; Protocol for Mutual Co-operation of Competent Entities for Undertaking Measures for the Prevention, Suppression and Protection from Violence against Women and Domestic Violence

¹⁶ GREVIO, *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*, GREVIO/Inf(2023)5, 2023, para. 328

¹⁷ Ministry of Social Policy, Demography and Youth, emergency session of the National Co-ordination Body for the implementation of the Istanbul Convention, 10 March 2026; first meeting of the multi-sectoral working group for urgent legislative amendments, 13 March 2026.

and reassessed as circumstances changed, and whether the measures taken corresponded to the level of risk.

A case brought to MYLA's attention in September 2026 further illustrates the importance of a coordinated and timely response where several risks overlap. The case concerned five minor children reportedly exposed to domestic violence and indications of possible trafficking and sexual abuse. According to the information received by MYLA, the mother and children were taken to a police station, but there was a significant delay before an officer dealing with children became involved. A civil society representative seeking immediate assistance from the social protection intervention team was reportedly informed that the team could not intervene until the police had taken measures. The children were subsequently returned to the family home and placed in foster care the following day.¹⁸ MYLA did not have access to the case file and cannot establish whether the applicable procedures were complied with. The information available nevertheless illustrates a broader due-diligence issue: in complex cases, institutional mandates and sequencing of procedures should not create gaps in immediate protection while different authorities wait for another institution to act.

A further case strategically supported by MYLA illustrates concerns regarding the criminal justice response to the exploitation of children. The case concerns a child who was forced to beg by the child's mother and stepfather. The first- and second-instance courts qualified the conduct as trafficking in human beings and sentenced the accused to seven years and six months' imprisonment. Following an extraordinary review, however, the Supreme Court quashed the judgments and took the position that the facts amounted instead to the criminal offence of neglect and abuse of a minor child. In the repeated proceedings, the lower courts followed this legal position and imposed a sentence of six years and six months.

The case raises an important question as to whether exploitation through forced begging, particularly where it is committed by persons responsible for the child's care, is adequately recognised and addressed by the criminal justice system. The child's dependency on the family may make both the identification of exploitation and access to effective protection particularly difficult. MYLA has submitted an application concerning the case to the European Court of Human Rights under Article 4(2) of the European Convention on Human Rights.¹⁹ The case is not isolated from broader concerns regarding child trafficking for forced begging. A 2024 Council of Europe study identified an increase in child trafficking for begging in North Macedonia and pointed to continuing challenges in prevention, victim identification, implementation of the law and co-operation between police and social protection services.

Taken together, MYLA's findings indicate that due diligence should be assessed through the actual functioning of the protection system rather than through the existence of procedures, training or institutional mandates alone. Risk assessment must operate as a continuous process capable of incorporating new information and multiple forms of risk, while multi-agency co-operation must result in clear responsibility for immediate protective action. This is particularly important where violence is repeated or escalating, during or after separation, where children are affected, or where domestic violence intersects with sexual violence, trafficking, stalking or other forms of exploitation.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- ensure that risk assessment is carried out systematically from the first institutional contact and repeated whenever circumstances change or new information becomes available;

¹⁸ Macedonian Young Lawyers Association (MYLA), information received in September 2026 concerning an anonymised case involving five minor children and the response of police and social protection services. MYLA did not have access to the case file and did not independently verify the information received.

¹⁹ Macedonian Young Lawyers Association (MYLA), case file and strategic litigation concerning a child subjected to forced begging; application submitted to the European Court of Human Rights under Article 4 § 2 of the European Convention on Human Rights.

- ensure timely and effective exchange of relevant information between all institutions involved in the protection of victims, particularly in cases involving repeated or escalating violence or multiple forms of violence and exploitation;
- ensure that risks affecting women and children are assessed comprehensively and jointly, including where domestic violence overlaps with other forms of violence or exploitation, such as sexual abuse or trafficking;
- ensure that identified risks result in timely and appropriate protective action and that protection measures are adapted as the level or nature of the risk changes;
- establish clear responsibilities and procedures for immediate intervention in complex multi-agency cases, so that uncertainty as to institutional competence does not result in delays or gaps in protection;
- ensure that decisions to return children to their family are based on a documented assessment of their safety and, where necessary, an individual safety plan; and
- *regularly review the implementation and effectiveness of risk-assessment and risk-management procedures, including through case reviews of complex multi-agency cases.*

E. ACCESS TO JUSTICE AND FREE LEGAL AID

Relevant provisions: Articles 20, 53 and 56

MYLA's experience in providing free legal aid to victims of domestic and gender-based violence indicates that the existing legal aid framework contains important safeguards but does not yet ensure effective access to legal assistance throughout all stages of a victim's protection and recovery.

For proceedings concerning temporary protection measures, victims of domestic violence may obtain secondary legal aid without an assessment of their financial and property situation. However, Article 20 of the Law on Free Legal Aid requires confirmation that the applicant is registered as a victim of domestic violence in the relevant register maintained by the Centre for Social Work.²⁰ In MYLA's practice, this may create an unnecessary procedural barrier. A woman may have reported violence to the police and possess police records, medical documentation or other evidence, but still be required to approach the Centre for Social Work and obtain confirmation before she can benefit from the more favourable legal-aid regime.²¹

A further gap concerns legal proceedings that are directly connected with leaving an abusive relationship but fall outside proceedings for protection measures. The exemption from the financial assessment does not extend to divorce, maintenance, housing or property proceedings. MYLA has assisted women who formally exceeded the applicable financial threshold but had no realistic possibility of privately financing legal representation after leaving an abusive relationship, particularly where they were simultaneously supporting children, securing independent accommodation and covering essential living expenses.²²

This distinction does not adequately reflect the reality of leaving violence. Protection from domestic violence may require much more than obtaining an immediate protection order. Divorce, maintenance, housing and property proceedings may determine whether a woman can achieve economic independence and establish a safe life outside the abusive relationship. MYLA therefore considers that access to secondary legal aid without a financial assessment should extend to legal proceedings directly resulting from domestic or gender-based violence where they are necessary for the victim's safety, recovery or economic independence.

²⁰ Law on Free Legal Aid, Article 20

²¹ Macedonian Young Lawyers Association (MYLA), findings from the provision of free legal aid to victims of domestic violence concerning access to secondary legal aid in divorce, maintenance, housing and property proceedings

²² Macedonian Young Lawyers Association (MYLA), findings from the provision of free legal aid to victims of domestic violence concerning access to secondary legal aid in divorce, maintenance, housing and property proceedings.

MYLA has also identified a gap at the earliest stage of access to protection. Primary legal aid includes initial legal advice, general legal information and assistance with applications for secondary legal aid but does not expressly include accompaniment of victims before institutions.²³ MYLA's experience shows that this can be particularly important for victims approaching the police, a Centre for Social Work or another institution. Victims may have difficulty explaining the relevant facts, identifying the appropriate procedure or understanding what protection they can request. Previous experiences involving incomplete or incorrect information, refusal to receive applications, delays or inadequate institutional responses may further reduce trust and discourage them from continuing with proceedings.²⁴

Accompaniment by a trained legal or support person does not replace the responsibility of the competent institution. It can, however, help ensure that the victim is able to communicate the relevant facts, understand the procedure and effectively exercise her rights, while reducing the risk of secondary victimisation during her interaction with the protection and justice system.

A further issue concerns legal assistance in criminal proceedings. Article 38 of the Law on Free Legal Aid provides that representation and defence in criminal proceedings are regulated in accordance with the Criminal Procedure Law, while the transitional provisions retain certain provisions of the previous legal aid legislation concerning victims of criminal offences and victims of trafficking. This creates uncertainty in practice as to the availability of secondary legal aid for victims of domestic and gender-based violence who require representation in criminal proceedings. For victims who cannot afford private legal representation, such uncertainty may affect their ability to effectively exercise their rights and participate in proceedings concerning the violence against them.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- remove the requirement that a victim must be registered as a victim of domestic violence specifically by a Centre for Social Work as the sole basis for accessing secondary legal aid without a financial assessment;
- allow victims to establish their eligibility through a broader range of documentation, including documentation issued by specialised victim-support organisations and services, police records, medical documentation, previous court decisions and other evidence providing sufficient indications that the applicant is a victim of domestic violence;
- amend the Law on Free Legal Aid to expressly include, within primary legal aid, accompaniment of victims of domestic and gender-based violence before relevant institutions where necessary to enable effective access to protection and the exercise of their rights;
- ensure that victims are not required to prove the violence at the stage of determining their entitlement to legal aid and that evidentiary requirements do not create an undue barrier to access to justice;
- provide access to secondary legal aid without a financial assessment for judicial and administrative proceedings concerning any legal matter directly connected to experienced domestic violence, including divorce, property and housing matters, child maintenance and maintenance claims against the perpetrator;

²³ Law on Free Legal Aid, provisions governing the scope of primary legal aid.

²⁴ Macedonian Young Lawyers Association (MYLA), findings from the provision of primary legal aid to victims of domestic and gender-based violence.

- ensure that the assessment of eligibility for legal aid takes into account the actual economic circumstances and financial obligations of victims, including the costs of supporting children and securing independent housing;
- clarify the Law on Free Legal Aid to expressly guarantee access to secondary legal aid for the representation of victims of domestic and gender-based violence in criminal proceedings;
- remove inconsistencies between the provisions of the current Law on Free Legal Aid and its transitional provisions concerning legal aid for victims of domestic violence and other victims of criminal offences; and
- ensure that the legal aid framework is accessible to victims without excessive procedural or administrative formalities and is designed to prevent secondary victimisation.

F. MANDATORY RECONCILIATION IN DIVORCE PROCEEDINGS

Relevant provision: Article 48

The legal framework contains an inconsistency concerning mandatory reconciliation in cases of domestic violence.

Article 86 of the Law on Prevention of and Protection from Violence against Women and Domestic Violence expressly provides that, in proceedings concerning the protection of victims, courts may not refer the parties to mandatory amicable dispute resolution.²⁵ However, Articles 237, 241 and 242 of the Family Law continue to provide for reconciliation proceedings in divorce cases, without establishing domestic violence as a ground for excluding such proceedings.

More specifically, Article 237 of the Family Law requires a reconciliation procedure following the submission of a divorce claim or a petition for divorce by mutual consent. Although the Law provides several circumstances in which reconciliation is not conducted, domestic violence is not included among them. Where spouses have minor children, the reconciliation procedure is conducted by the competent Centre for Social Work.²⁶

The inconsistency is further reinforced by Articles 241 and 242 of the Family Law. Where an initial attempt is unsuccessful but further reconciliation is considered possible, Article 241 allows an additional reconciliation hearing to be scheduled. Article 242 expressly requires that the reasons for initiating divorce proceedings be examined and that an attempt be made to reconcile the spouses.²⁷

Consequently, even where domestic violence is the reason for the breakdown of the marriage, a victim seeking divorce may remain subject to a procedure whose statutory purpose is to attempt to restore the marital relationship. The specialised legislation therefore protects victims from mandatory amicable dispute resolution in proceedings concerning protection from violence, while the Family Law does not provide an equivalent safeguard when the victim seeks to terminate the marriage with the perpetrator.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- amend the Family Law to expressly exclude reconciliation proceedings where domestic violence has been reported or identified, thereby harmonising it with Article 86 of the Law on Prevention of and Protection from Violence against Women and Domestic

²⁵ Law on Prevention of and Protection from Violence against Women and Domestic Violence, Official Gazette of the Republic of North Macedonia No. 24/2021, as amended, Article 86.

²⁶ Family Law, Article 237

²⁷ Family Law, Articles 241–242.

Violence and ensuring that reconciliation or preservation of the marriage is not pursued as an objective in such cases.

G. DIGITAL GENDER-BASED VIOLENCE

Relevant provisions: Articles 11, 45, 49 and 50; GREVIO General Recommendation No. 1; emerging trends

Digital gender-based violence remains an area in which important legislative developments have taken place, but significant gaps persist in both the criminal-law framework and its practical implementation. MYLA has examined these issues through research on judicial practice, analysis of the legal framework, institutional information and direct legal assistance to women experiencing online abuse.

The Criminal Code does not currently include the digital dimension within its definition of gender-based violence, although the definition of violence against a child expressly includes violence committed through the internet. Certain offences expressly cover conduct committed through a computer system or means of communication, including endangering security under Article 144, stalking under Article 144-a and sexual harassment under Article 190-a. Other forms of technology-facilitated gender-based violence, however, remain only partially covered or are addressed through offences that do not recognise their gendered or intimate-partner context.²⁸

G1. Misuse of personal data and intimate-partner abuse

Article 149 of the Criminal Code on misuse of personal data has been used in cases involving digital abuse, including the non-consensual sharing of intimate material. However, unlike some other offences, it does not provide an aggravated form where the conduct is committed in the context of gender-based or domestic violence or by a current or former intimate partner.²⁹

MYLA's research into judicial practice under Article 149 illustrates the practical importance of this omission. Information obtained from all 26 basic courts showed 168 decisions under Article 149 between 2020 and 2023, while only 62 judgments could be located on the Judicial Portal and analysed. Among these 62 judgments, 14 concerned women whose personal data had been misused by former intimate partners, including 10 cases involving intimate images or videos shared without consent.³⁰ None of these cases attracted heavier sanctions on account of the intimate-partner context.

The research also identified generally lenient sentencing practice. Of the 62 judgments analysed, 26 resulted in suspended sentences and 28 in fines ranging from approximately EUR 100 to EUR 1,000. Custodial sentences were imposed in only three cases, with the longest being seven months.³¹ This practice predates the introduction of the new offence concerning sexually explicit recordings but provides an important baseline against which its future implementation and the effectiveness of sanctions can be assessed.

G2. Article 152-a and image-based sexual abuse

In January 2026, Article 152-a of the Criminal Code introduced a specific offence concerning the misuse of recordings with sexually explicit content. MYLA participated in the parliamentary public hearing and submitted proposed amendments to the provision, which were not adopted.³² The new offence represents an important improvement, but several questions remain.

²⁸ Criminal Code of the Republic of North Macedonia, as amended, Articles 144, 144-a and 190-a; GREVIO, General Recommendation No. 1 on the digital dimension of violence against women, 20 October 2021

²⁹ Criminal Code, Article 149

³⁰ A. Gudaci and M. Drangovska Martinova, Protection of Privacy and Personal Data on Social Networks and Websites, Macedonian Young Lawyers Association and Centre for Legal Research and Analysis, Skopje, November 2024.

³¹ Ibid

³² Assembly of the Republic of North Macedonia, Committee on the Political System and Inter-Community Relations, public hearing, 16 January 2026; Macedonian Young Lawyers Association, written opinion and proposed amendments submitted to Members of Parliament, January 2026.

The term “sexually explicit content” is not defined, creating uncertainty as to whether intimate material that does not involve explicit nudity is covered. The provision does not establish an aggravated form where the perpetrator is a current or former intimate partner. The legislation also does not expressly clarify that consent to the creation of intimate content does not constitute consent to its subsequent sharing. Particular care is also required where the victim is a child, to ensure that Article 152-a is not applied as a more lenient alternative where the elements of the offence concerning child sexual abuse material under Article 193-a are fulfilled.³³

Other normative gaps remain. Unauthorised recording under Article 152 is prosecuted by private action, placing responsibility for initiating and pursuing proceedings on the victim. Articles 151 and 152 do not provide aggravated forms for gender-based or domestic violence. Sexualised online bullying is not adequately addressed through Article 190-a, cyberflashing against adult women is not expressly criminalised, and online grooming of a child under Article 193-b remains linked to an in-person meeting.³⁴

G3. Investigation and institutional response

Normative reform alone will not address digital gender-based violence without corresponding investigative capacity. Information gathered by MYLA indicates limitations in the specialised human resources and technical tools available to the Cybercrime Unit for investigating manipulated or synthetic sexual content. Difficulties have also been identified in perpetrator identification and in obtaining and assessing digital evidence.³⁵

The consequences are illustrated by a case reported in Kavadarci in 2023, in which six ninth-grade pupils took photographs of female classmates from social media, manipulated them into sexualised content and circulated the images among peers. According to the prosecution, the purpose was to insult and ridicule the girls and damage their reputation. The matter was reported to the police in October 2023, while proceedings against the children were initiated in February 2024 after an expert assessment of the manipulated photographs had been obtained. The conduct was pursued under Article 149 of the Criminal Code on misuse of personal data.³⁶ The case illustrates both the evidentiary challenges associated with manipulated sexual content and the difficulties created when emerging forms of digital sexual abuse must be addressed through offences developed for different forms of conduct.

Earlier cases also demonstrate the consequences of gaps in criminal-law protection. In the “Javna Soba” case, in which intimate images and personal information concerning large numbers of women and girls were shared without consent through an online group, the criminal-law response focused primarily on conduct concerning children, while adult women faced substantially more limited avenues of criminal-law protection.³⁷ The subsequent introduction of Article 152-a addresses an important part of this gap, but its practical effectiveness will depend on interpretation, investigation and prosecution.

G4. Barriers to reporting

MYLA’s direct legal assistance indicates that an additional part of the problem may remain largely outside official statistics. Within a two-week period in 2025, three young women aged between 17 and 20 contacted MYLA by email seeking assistance concerning online harassment, coercion and misuse of personal data or images. One had lost control of a social-media account that continued to be used in her name, another was threatened with publication of intimate images,

³³ Criminal Code, Articles 152-a and 193-a; M. Drangovska Martinova, Strengthening Legal Protection against Image-Based Sexual Abuse and Deepfake Technology: Comparative Analysis and Recommendations for Improving the Legal Framework in the Republic of North Macedonia, National Network to End Violence Against Women and Domestic Violence, Skopje, September 2024.

³⁴ Criminal Code, Articles 151, 152, 190-a and 193-b

³⁵ Macedonian Young Lawyers Association, research findings concerning the institutional response to digital gender-based violence, including information obtained concerning the technical and human-resource capacity of the Cybercrime Unit.

³⁶ Basic Public Prosecutor’s Office Kavadarci, information reported on 1 February 2024 concerning proceedings involving manipulated photographs of female pupils.

³⁷ GREVIO, *Baseline Evaluation Report on North Macedonia*, GREVIO/Inf(2023)5, 2023, para. 247; Basic Public Prosecutor’s Office Skopje, “Indictment submitted against the creator and administrator of the ‘Javna Soba’ group”, 26 April 2021

while the third sought assistance after an online interaction had escalated into conduct causing significant distress.³⁸

All three women sought assistance discreetly, did not wish to involve their families and communicated exclusively by email, declining telephone contact. In one case, the woman had previously approached both the police and the Agency for Personal Data Protection, but neither institution had acted on her complaint. None of the three cases ultimately resulted in a registered criminal complaint. These cases cannot establish prevalence, but they illustrate how fear of exposure, uncertainty about available remedies and previous institutional responses may prevent young women from pursuing formal proceedings. Official statistics consequently capture only those cases that successfully enter the institutional system.

The accessibility of reporting and support mechanisms is particularly important for adolescent girls experiencing digital forms of gender-based violence. Requiring telephone or in-person contact, or relying on procedures that in practice require the involvement of a parent or other family member, may create additional barriers for adolescents who are unable or unwilling to disclose the violence within their family. Reporting and support mechanisms should therefore be capable of providing adolescents with a confidential and practically accessible first point of contact, while ensuring that subsequent action takes account of their age, safety and best interests.

G5. Removal of harmful content and platform accountability

Access to criminal proceedings does not in itself resolve another immediate concern for victims: removal of harmful content. MYLA's research indicates that victims currently lack an effective domestic mechanism capable of ensuring the timely removal of intimate images, manipulated sexual content or fake profiles from major online platforms. The largest platforms do not have formal representatives in North Macedonia subject to direct domestic regulatory oversight, while law-enforcement authorities may need to rely on international co-operation mechanisms to obtain information from providers abroad.³⁹

This creates a significant gap between criminal justice and immediate protection. An investigation may be pending while the content causing the harm remains accessible, continues to circulate or is repeatedly republished. An effective response to digital gender-based violence therefore requires not only identification and prosecution of perpetrators, but mechanisms capable of limiting the continuing harm to the victim.

Institutional responsibility is also fragmented across the police Cybercrime Unit, the Agency for Personal Data Protection, the Agency for Audio and Audiovisual Media Services and several ministries, without a single mechanism responsible for coordinating the response to technology-facilitated gender-based violence. This fragmentation may affect reporting, referral, evidence preservation, content removal and the collection of comparable data.

G6. Data and visibility of digital gender-based violence

The available administrative and judicial data do not adequately capture the gendered nature of digital violence. The 168 court decisions reported under Article 149 were not disaggregated according to the relationship between victim and perpetrator. MYLA therefore had to reconstruct this information manually from the 62 publicly accessible judgments.⁴⁰ Without systematic data on the sex and age of victims and perpetrators, their relationship and the form of digital violence involved, intimate-partner and gender-based digital violence remains hidden within broader criminal-law categories.

³⁸ Macedonian Young Lawyers Association, cases recorded through the provision of legal assistance in 2025 concerning three young women aged 17–20 who sought assistance in relation to online abuse. Details have been anonymised and are presented in aggregate form; no identifying information is disclosed.

³⁹ M. Drangovska Martinova, "From Safe Harbour to Systemic Accountability: Platform Responsibility and Child Protection Online in North Macedonia", *International Yearbook of the Faculty of Security* 2025/1, Faculty of Security – Skopje, University "St. Kliment Ohridski" – Bitola, pp. 115–127.

⁴⁰ Gudaci and Drangovska Martinova, *Protection of Privacy and Personal Data on Social Networks and Websites*, 2024, op. cit.

This issue becomes particularly important following the introduction of Article 152-a. Data should make it possible to follow its implementation from reports to police through investigation, prosecution, conviction and sanction and to determine whether the provision is effectively protecting women and girls from image-based sexual abuse.

The introduction of Article 152-a is an important development, but it should be understood as one element of a broader response.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- amend the definition of gender-based violence in the Criminal Code to expressly include its digital dimension, in line with the approach already taken in the definition of violence against a child;
- supplement Article 149 of the Criminal Code to adequately address doxing and impersonation, without making criminal-law protection dependent on the applicability of the Law on Personal Data Protection, and provide for an aggravated form where such conduct constitutes gender-based or domestic violence, is committed against a current or former intimate partner, or against a child;
- clarify the scope of Article 152-a by defining “sexually explicit content” so as to encompass intimate material even where it does not contain explicit nudity, and provide for an aggravated form of the offence where the perpetrator is a current or former intimate partner;
- provide clear guidance on the relationship between Article 152-a and Article 193-a of the Criminal Code, ensuring that the child-protection offence remains primarily applicable where its constituent elements are met;
- ensure effective ex officio prosecution of unauthorized recording under Article 152 and provide for aggravated forms of the offences under Articles 151 and 152 where the conduct constitutes gender-based or domestic violence;
- ensure that the criminal-law framework adequately addresses other forms of technology-facilitated sexual violence and abuse, including sexualized online bullying and cyberflashing, and that online grooming of children is punishable irrespective of whether an in-person meeting subsequently takes place;
- ensure that sanctions for offences involving the digital dimension of violence against women are effective, proportionate and dissuasive, supported by appropriate sentencing guidance;
- strengthen the technical and specialized capacity of the Cybercrime Unit and prosecution services to investigate technology-facilitated gender-based violence, including through adequate technical tools, specialized personnel and guidance concerning manipulated or synthetic sexual content;
- ensure that complaints of digital gender-based violence are received and acted upon by the police and the Agency for Personal Data Protection within the applicable time limits and without secondary victimization, and provide effective oversight and remedies in cases of institutional inaction;
- establish accessible and confidential reporting channels, including channels that do not require telephone or in-person contact, and ensure that adolescent girls are able to seek initial assistance and protection without necessarily involving family members;
- establish an effective domestic framework requiring online intermediaries to provide accessible mechanisms for reporting harmful content and enabling the rapid removal of non-consensual intimate material and other harmful sexual content;

- strengthen the independence, staffing and resources of the Agency for Personal Data Protection so that it can effectively respond to the digital dimension of violence against women, and ensure that relevant national co-ordination mechanisms have an explicit mandate to address technology-facilitated gender-based violence; and
- systematically collect and publish disaggregated data on the digital dimension of violence against women, including data on reports, investigations, prosecutions, convictions and sanctions, as well as the sex and age of victims and perpetrators, the relationship between them and the form of digital violence involved.

H. PREVENTION AND EDUCATION

Relevant provisions: Articles 12 and 14

The State Report describes a number of positive developments in the field of school safety and violence prevention. These include new rules on reporting and protecting student victims in primary and secondary education, programmes for the prevention of violence and discrimination, activities implemented through the “Promotion of a Safe School Environment” project, and new guidance and educational materials for schools.⁴¹ These measures strengthen the general framework for preventing and responding to violence in educational settings.

The implementation of Articles 12 and 14 of the Convention, however, requires more than general violence-prevention activities. Article 14 specifically requires educational material on equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity to be included in formal curricula and at appropriate levels of education.

Recent developments in the education framework have weakened the explicit legal and policy basis for addressing these issues. Legislative changes adopted in 2025 narrowed some of the explicit anti-discrimination protections previously contained in education legislation and removed references to educational content concerning gender equality and sexual and reproductive health.⁴² These changes reduce the explicit normative basis for addressing subjects that are directly relevant to the preventive objectives of Articles 12 and 14 of the Convention.

This continued in September 2026. On 9 September 2026, the Ministry of Education and Science withdrew both the curriculum and the elective subject “Comprehensive Sexuality Education” from secondary education, where it had been envisaged as an elective subject for students from the first to the fourth year. The Minister of Education stated that the programme would undergo an in-depth revision following reactions from the public.⁴³ The programme included, among other subjects, gender equality and non-discrimination between the sexes, alongside sexual and reproductive health-related content.⁴⁴

The withdrawal is particularly relevant to Article 14 because the subjects affected are directly connected to the Convention’s preventive objectives. Education on gender equality, stereotypes, consent, personal boundaries and respectful relationships equips children and young people not

⁴¹ Government of the Republic of North Macedonia, *Report submitted pursuant to Article 68, paragraph 3 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), First Thematic Evaluation Round*, GREVIO/Inf(2026)1, 2026, information provided under Articles 12 and 14 concerning prevention of violence and measures in primary and secondary education.

⁴² Law Amending and Supplementing the Law on Primary Education, *Official Gazette of the Republic of North Macedonia* No. 74/2025; Law Amending and Supplementing the Law on Secondary Education, *Official Gazette of the Republic of North Macedonia* No. 78/2025.

⁴³ Statement by the Minister of Education and Science, Vesna Janevska, 9 September 2026, as reported by *360 Stepeni*, “The elective subject ‘Comprehensive Sexuality Education’ is being withdrawn; its programme will undergo revision”, 9 September 2026. According to the Minister, the Ministry had withdrawn both the programme and the subject and would conduct an in-depth revision following reactions from the public.

⁴⁴ *Ibid.* see also *Sakam da kazam*, 9 September 2026. In her public statement, the Minister indicated that the programme included, inter alia, topics concerning family, prevention of sexually transmitted infections and unintended pregnancy, gender equality and non-discrimination between the sexes.

only to identify physical violence, but also to recognize coercive, sexual, psychological and increasingly digital forms of gender-based violence. At the time of reporting, there is no equivalent systematic educational programme in secondary education ensuring that these subjects are covered consistently.

The broader prevention framework presents a similar structural weakness. The situation analysis prepared for the draft National Strategy for Prevention and Protection from Gender-Based Violence against Women and Domestic Violence 2026–2033 found that formalized primary-prevention programmes are not established within the relevant institutions and that existing interventions remain largely project-dependent. Nearly 19% of the surveyed Centers for Social Work reported no involvement in preventive activities, while children, young people and men were identified among the groups insufficiently targeted by prevention measures.⁴⁵

The draft Strategy proposes a more structured approach to primary prevention, including measures addressing harmful gender stereotypes and discriminatory social norms, the involvement of men and boys, and the specific exposure of women and girls facing intersecting forms of discrimination. At the time of reporting, however, the Strategy has not been formally adopted. These measures therefore remain proposed measures and cannot be regarded as evidence of systematic primary prevention currently being implemented.

The issue is therefore not an absence of prevention activities. The State Report demonstrates that a range of measures exists, particularly in relation to school safety, bullying, mental health and general violence prevention. However, these measures do not compensate for the absence of systematic education addressing the gendered causes and manifestations of violence against women and girls. General violence-prevention activities and safe-school programmes cannot replace consistent, age-appropriate education on gender equality, non-stereotyped gender roles, consent, personal integrity and respectful relationships as required by Article 14.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- ensure that the principles and subjects required by Article 14 of the Istanbul Convention, including equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, are systematically incorporated into formal education at all relevant levels and adapted to the evolving capacity of learners;
- ensure that legislative and policy reforms in education do not weaken existing safeguards concerning gender equality and protection from discrimination or reduce the systematic treatment of these issues within the education system;
- establish sustainable and institutionalized primary prevention measures addressing violence against women and domestic violence, rather than relying predominantly on time-limited projects and initiatives implemented by civil society organizations and international partners;
- strengthen prevention efforts specifically targeting children and young people, as well as men and boys, including measures addressing harmful gender stereotypes, unequal gender relations and the digital dimension of violence against women and girls; and
- ensure that the development, revision or withdrawal of educational programmes concerning sexuality education, gender equality, non-discrimination and prevention of violence is guided by the State's obligations under the Istanbul Convention and does not result in gaps in age-appropriate education on these issues.

⁴⁵ Draft National Strategy for Prevention and Protection from Gender-Based Violence against Women and Domestic Violence 2026–2033

I. PRACTICAL ACCESSIBILITY OF SPECIALIST SUPPORT SERVICES

Relevant provisions: Articles 20, 22 and 23

GREVIO's baseline evaluation identified significant gaps in the availability, capacity and geographical accessibility of specialist support services and shelters and called for safe accommodation to be accessible to all women victims of gender-based violence and their children.⁴⁶ MYLA's more recent work with victims indicates that practical accessibility remains uneven. In individual cases, difficulties have arisen in identifying appropriate counselling and accommodation services that can respond to the circumstances of both the woman and her children, including suitable shelter accommodation for women accompanied by older male children. Similar barriers are particularly pronounced for women in vulnerable situations, including asylum-seeking and migrant women, where access to specialized psychological support, interpretation and appropriate accommodation may remain limited or dependent on international organizations and NGOs.⁴⁷

The continued difficulty in identifying an appropriate service for individual victims indicates that the formal availability of services does not necessarily ensure effective access.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- ensure a sufficient number and capacity of specialist support services and shelters for victims of all forms of violence against women covered by the Istanbul Convention, with adequate geographical distribution throughout the country;
- ensure that specialist support services and shelters are practically accessible to all women victims of gender-based violence and their children, without discrimination, including on grounds of sexual orientation, gender identity, disability, migration or asylum status, and irrespective of their place of residence, economic situation or other circumstances that may create additional barriers to access;
- ensure that women victims of violence can access shelters and specialist support services irrespective of whether they have reported the violence to the police or another public authority, including through effective possibilities for self-referral;
- ensure that shelters are able to accommodate women together with all of their children, including older male children, so that women are not required to choose between accessing protection and remaining with their children;
- ensure that women seeking international protection and migrant women who experience gender-based violence have effective access to specialist psychological and psychosocial support, interpretation and, where necessary, safe accommodation adapted to their protection needs;
- ensure the availability of specialist services addressing forms of violence beyond domestic violence, including sexual violence and other forms of violence against women covered by the Istanbul Convention;
- develop and consistently apply minimum quality standards for specialist support and shelter services, based on a gendered understanding of violence against women, the empowerment of victims and a victim-centered and human rights-based approach;

⁴⁶ GREVIO, *Baseline Evaluation Report on North Macedonia*, GREVIO/Inf(2023)5, paras. 175–183

⁴⁷ Macedonian Young Lawyers Association (MYLA), findings from the provision of legal assistance to women victims of domestic and gender-based violence and monitoring concerning women seeking international protection, reporting period 2023–2026

- ensure sustainable and adequate public funding and sufficient human resources for specialist support services and shelters, so that their availability and continuity do not depend predominantly on short-term projects or funding by international organizations and civil society organizations; and
- ensure effective co-ordination and referral between specialist services and relevant public institutions, while preserving the autonomy, confidentiality and victim-centered nature of specialist support.

J. DATA COLLECTION AND VISIBILITY OF GENDER-BASED VIOLENCE

Relevant provision: Article 11

GREVIO's baseline evaluation identified significant shortcomings in the collection and harmonization of administrative data on violence against women, including the inability to follow cases across the criminal justice chain and insufficient disaggregation by relevant characteristics of victims, perpetrators and their relationship. These limitations continue to affect the visibility of gender-based violence and the possibility of assessing how the protection and justice systems operate in practice.

MYLA's research on digital gender-based violence provides a concrete example. Information obtained from all 26 basic courts showed 168 decisions under Article 149 of the Criminal Code between 2020 and 2023, but only 62 judgments could be located and analyzed through the Judicial Portal. Available data did not identify the relationship between victim and perpetrator, requiring MYLA to reconstruct this information manually from individual judgments. Among the 62 judgments analyzed, 14 concerned women whose personal data had been misused by former intimate partners, including 10 cases involving intimate images or videos shared without consent.⁴⁸ Without data on the relationship between victim and perpetrator, intimate-partner violence may therefore remain statistically hidden within broader criminal-law categories. This is particularly relevant following the introduction of Article 152-a of the Criminal Code, whose implementation should be traceable from reporting and investigation through prosecution, conviction and sanction.

Similar data gaps arise in other areas covered by MYLA's work. Where children witnessing domestic violence are not consistently recognized and recorded as victims in their own right, administrative data may underestimate the number of children affected by domestic violence. In the asylum system, MYLA's monitoring indicates that gender-related persecution is not systematically captured in available statistics, making it difficult to establish how frequently gender-based violence is raised as a basis for international protection, how such claims are assessed and what outcomes they receive.⁴⁹ These examples concern different institutional systems but reflect the same underlying problem: available data do not consistently capture the gendered context of violence or allow cases and institutional responses to be followed over time.

Recommendations

MYLA invites GREVIO to call on the authorities to:

- establish harmonized and linkable administrative data collection across the police, prosecution services, courts, Centers for Social Work and other relevant institutions, enabling cases of violence against women to be followed across the criminal justice and

⁴⁸ A. Gudaci and M. Drangovska Martinova, *Protection of Privacy and Personal Data on Social Networks and Websites*, Macedonian Young Lawyers Association and Centre for Legal Research and Analysis, Skopje, November 2024; MYLA research on judicial practice concerning Article 149 of the Criminal Code, covering the period 2020–2023.

⁴⁹ Macedonian Young Lawyers Association (MYLA), monitoring findings concerning asylum procedures in North Macedonia, 2026

protection systems from reporting through investigation, prosecution, conviction and sanction;

- ensure that data on violence against women are systematically disaggregated by, at a minimum, the sex and age of the victim and perpetrator, the relationship between them and the form of violence involved, so that the gendered and intimate-partner dimensions of violence are visible in official statistics;
- ensure that children who witness domestic violence or otherwise live in an environment of domestic violence are consistently recorded as child victims, enabling the scale and consequences of children's exposure to such violence to be reflected in official data;
- establish systematic data collection on the digital dimension of violence against women, including the implementation of Article 152-a of the Criminal Code, allowing cases to be traced from reporting and investigation through prosecution, conviction and sanction and including data on the relationship between victim and perpetrator;
- improve the systematic publication and accessibility of relevant court judgments on the Judicial Portal, including judgments concerning technology-facilitated gender-based violence;
- systematically collect data on asylum claims involving gender-related persecution, including their grounds and outcomes, in order to enable assessment of how gender-related persecution is identified and recognized in asylum practice; and
- systematically monitor court practice in cases involving child trafficking and exploitation, including the legal qualification of the conduct and the sanctions imposed.

CONCLUSION

North Macedonia has made important progress in developing the legal and institutional framework for preventing and combating violence against women and domestic violence. However, MYLA's experience during the reporting period shows that important gaps remain between the formal safeguards that exist and the protection that victims receive in practice.

The findings presented in this report point to several recurring problems. Victims still face difficulties in accessing legal aid and specialist services, particularly when their circumstances do not fit easily within existing procedures. Children exposed to domestic violence are not always recognized and protected as victims in their own right. Risk assessments do not always lead to timely and adequate protection, particularly in complex cases involving several institutions. Women seeking international protection face additional barriers, including in the identification of gender-based violence and gender-related persecution and in accessing interpretation, psychosocial support and specialist services. Similar concerns arise in relation to migrant women outside the asylum procedure, whose protection needs may remain unidentified.

New forms of violence also require a stronger institutional response. Digital gender-based violence remains insufficiently visible in official data and presents challenges for reporting, investigation and effective protection. At the same time, prevention efforts need to address the causes of violence against women, including harmful gender stereotypes and unequal gender relations, and to reach children and young people in a systematic and age-appropriate manner. Overall, the findings show that further progress depends not only on adopting laws, procedures and services, but on ensuring that they work effectively in practice. MYLA therefore invites GREVIO to pay particular attention to whether existing mechanisms provide timely, accessible and effective protection, and whether institutions are able to respond to the actual circumstances and needs of women and children affected by violence.