March 2020



Baseline research: existing rehabilitation and integration services provided at the local level in Republic of North Macedonia

National Network to End Violence Against Women and Domestic Violence

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This document was created in the framework of the project is part of the project "Institutionalizing Quality Rehabilitation and Integration Services for Violence Survivors" funded by the Austrian Development Agency (ADA) with funds of Austrian Development Cooperation





Contents

NATIONAL LEGISLATION IN THE REPUBLIC OF NORTH MACEDONIA	3
CONSTITUTION OF THE REPUBLIC OF NORTH MACEDONIA	3
Law on Family	3
Law on Prevention, Elimination and Protection from Domestic Violence	4
LEGISLATION RELATED TO EMPLOYMENT	6
Law on Labor	6
National Employment Strategy 2016 – 2020	7
LEGISLATION RELATED TO HOUSING	8
Law on housing	8
Law on Subsidizing Home Loans	8
LEGISLATION RELATED TO FREE LEGAL AID	8
Law on Free Legal Aid	8
LEGISLATION RELATED TO FINANCIAL AID	9
Law on Social Protection	9
Law on Amendments to the Law on Child Protection	9
DOCUMENTS REGARDING SERVICES FOR GENDER-BASED VIOLENCE AND DOM	ESTIC
VIOLENCE ON LOCAL LEVEL	
LOCAL DOCUMENTS RELATED TO GBV AND DV (PROGRAMS, STRATEGIES, DECISIONS)	10
LIST OF SERVICES FOR WOMEN VICTIMS OF GBV AND DV	12
GENERAL SERVICES	12
SPECIALIZED SERVICES	12
REINTEGRATION AND REHABILITATION SERVICES	15
RECOMMENDATIONS FOR REINTEGRATION AND REHABILITATION OF WOMEN V	ICTIMS OF
GBV AND DV	15
RECOMMENDATIONS	15
PROPOSED MODEL FOR REINTEGRATION OF WOMEN VICTIMS OF DOMESTIC VIOLENCE	16
LIST OF REFERENCES	

National legislation in the Republic of North Macedonia

Constitution of the Republic of North Macedonia

The Constitution of the RNM¹ defines the state as sovereign, independent, democratic and social, with special emphasis on the "social state", a term that manifests the will and obligation of the state and its institutions to protect, secure and guarantee the social rights of citizens. According to the Constitution, the state guarantees the basic civil, social and cultural rights of the citizens living on the territory of the Republic of North Macedonia. Article 32 of the Constitution of the Republic of North Macedonia guarantees the right to work for all, free choice of employment, protection at work and material security during temporary unemployment. Also, every job is available to everyone under equal conditions. Article 35 expresses the state's concern about the social protection and social security of citizens in accordance with the principle of social justice. Article 39 guarantees the right to health care to every citizen. Furthermore, under Article 40, the Republic provides special care and protection of the family. The legal relations in marriage, family and extramarital unions are regulated by law. Parents have the right and duty to take care of and raise their children. Children are obliged to care for their old and feeble parents. The Republic provides special protection for orphans and children without parental care, with motherhood and underage children as a separate protected category in the Constitution, especially when they need to be included in the labor market. Article 44 guarantees the right to education. Education shall be accessible to everyone under equal conditions. Primary education is compulsory and free of charge.

Starting from the constitutional provisions for protection of the basic human rights and freedoms and respecting the generally accepted norms of international law for the elimination of all forms of discrimination against women, including domestic violence, the Republic of North Macedonia has made a big step forward regarding protection of women from all forms of violence against women with the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)² of 22 December 2017, which entered into force on 01.07.2018. The Istanbul Convention is the first comprehensive instrument at European level to focus on the violence against women. According to Article 118 of the Constitution of the Republic of North Macedonia, this Convention is an integral part of our constitutional and legal order

Law on Family

The Law on Family3 is a separate law that regulates the family and the relationships in the family as a whole, as well as all the relationships that result from it (marriage, family, family protection, adoption, guardianship, dependency). This Law also regulates the responsibilities of the competent institutions, especially the Centers for Social Work in protection and assistance to families. The Law on Family regulates parenthood in Article 7, as well as the parental rights which constitute equal rights and duties for both parents to their children.

In terms of exercising and executing parental rights in situations when the child's parents do not live together, they have to reach an agreement on how to maintain personal relations and direct contact

https://www.sobranie.mk/content/Odluki%20USTAV/UstavSRSM.pdf ² Convention on preventing and combating violence against women and domestic violence, https://rm.coe.int/168046253a

¹ Constitution of the Republic of North Macedonia, Assembly of RNM, 2019,

³ Law on Family, Official Gazette of RNM, http://bit.do/zakonzasemejstvo

with the child. A separate section of the Law on Family covers maintenance defined as the right and duty of family members and other relatives.

Conclusion: Although this is the key law that should provide the legal definitions of family, single parent and/or single-parent family, regulation of parents' relations and child/children support when partners live apart, still this law does not currently have the capacity to clearly and completely cover the specific definitions. The Law on Family does not recognize victims of domestic violence and does not provide protection against future violence.

Law on Prevention, Elimination and Protection from Domestic Violence

The purpose of the law is to take measures aimed at the prevention and protection of victims of domestic violence, respecting the fundamental rights and freedoms, life, personal integrity, non-discrimination and gender equality, with due regard to the interests and needs of the victim. **The competent agencies and institutions responsible for appropriate implementation of this Law are**: Ministry of Labor and Social Policy, Ministry of Interior, Ministry of Health, Ministry of Education and Science, Ministry of Justice, units of local self-government, institutions in the field of social protection, child protection, internal affairs, health, employment and education. They undertake measures to protect the victim and prevent violence, and to establish cooperation and coordination.

Article 3 of this law defines the term **domestic violence**⁴. "Domestic violence shall mean harassment, insulting, endangering, bodily harm, sexual or other psychological, physical or economic violence that causes feelings of insecurity, endangerment or fear, including threats for such acts against a spouse, parents or children or other persons living in a marital or an extramarital union or joint household, as well as against a current or former spouse, extramarital partner or persons with whom they have a child or with whom they are in a close personal relationship, regardless whether the offender lives or used to live in the same household as the victim or not.

The first part of the law covers the prevention and action of the competent institutions and the preventive measures they undertake to prevent and reduce domestic violence. While in a separate the protection measures are covered in a separate section.

The **measures for protection of the victims** against domestic violence, which should be provided by the competent Centre for Social Work, include:

- a) accommodation in a center for persons victims of domestic violence.
- b) adequate health care.
- c) appropriate psychosocial intervention and treatment.
- d) psychosocial treatment in a counselling centar.
- e) support of the family for regular child education.
- f) legal assistance and representation.
- g) economic empowerment of the victim through her active involvement in the labor market.

Article 23 of this Law covers the work of the **multi-sectoral expert team** in cases where there is knowledge that the life and health of the victim and family members are endangered, as well as when a child is a victim of domestic violence. In such cases, a security plan is prepared by the multi-sectoral expert team. The multi-sectoral expert team is comprised of professionals from the Centre for Social Work, Police and Health Institution from the area for which the center is responsible.

Representatives of associations working in the field of domestic violence are involved in the work of the multi-sectoral expert team, who can propose and implement measures and activities from the security plan for protection of the victim. The multi-sectoral expert team referred to in paragraph 2 of this Article

⁴Law on Prevention and Protection from Domestic Violence, Ministry of Labour and Social Policy <u>http://www.mtsp.gov.mk/content/pdf/zakoni/ZAkon%20za%20prevencija%20semejno.pdf</u>

shall be established in the Centre for Social Work competent according to the victim's domicile or abode, for the purpose of coordinating the activities in providing assistance to the victim in accordance with her needs.

The multi-sectoral cooperation of the competent institutions and associations is established with a Mutual Cooperation Protocol. The Protocol is adopted by the Government of the Republic of North Macedonia, upon the proposal of the Ministry of Labor and Social Policy.

Article 24 to Article 28 of this Law specify in detail the accommodation of the victim of domestic violence in the centar for victims of domestic violence (Shelter Centre) by the competent Centers for Social Work. The support provided to these victims, in particular in the area of their economic empowerment, is elaborated in detail in Article 28 of the Law which states that: "The Centre for Social Work, in cooperation with the Employment Agency of the Republic of North Macedonia - the competent employment centar. undertakes measures for economic empowerment of the victim through her active involvement in the labor market. The Centre for Social Work shall, within seven days from the initiation of the procedure, inform the Employment Agency of the Republic of Macedonia - the competent employment centar, on the need to include the victims in the active employment measures. The Employment Centre is obliged, within three days after receiving the notification referred to in paragraph 2 of this Article, to call the victim for the purpose of initiating a procedure for her inclusion in the active employment measures and policies, training, employment mediation, motivation, acquiring basic skills; to develop an individual employment plan for the victim, to provide her with access to information on vacancies, until she is employed. The responsible person from the Employment Centre is obliged to contact the victim at least once a month for the purpose of implementing the individual employment plan, until her employment. The Employment Centre shall inform the competent Centre for Social Work within three days from the inclusion of the victim in the active employment measures program. The employment centar shall notify the competent Centre for Social Work within three days if the victim has established entered into employment or if the employment has been terminated."

With this provision, the legislator puts the economic empowerment of victims of domestic violence through their active involvement in the labor market in order for them to achieve independence, self-confidence and completely abandon the violent environment, as one of the priority goals.

Pursuant to this Law, the competences of the Ministry of Interior are as follows: when domestic violence is reported, a police officer is obligated to go to the scene and prepare a police report immediately and no later than 12 hours after the intervention. The police officer must always assess the risk to the victim's life and bodily integrity and the risk of recurrence of the violence. The police officer shall ensure that the victim is immediately provided with appropriate health care in relation to Article 31 of the Law. The police officer temporarily seizes the weapon from the offender and initiates a procedure stipulated by law for suspension of the weapon license, the collector's weapon license or the license for carrying a weapon. The police officer is obligated, within 12 hours, to submit to the competent court a proposal for issuing a temporary protective measure - removal of the offender from the home and a restraining order. These protective measures are urgent, and the court shall issue them within 24 hours. Article 31 of this law also regulates the obligated to immediately examine and provide other medical treatment to the victim and to issue appropriate medical documentation to the victim for the established injury. For the matters referred to in paragraph 1 of this Article, victims shall be exempt from paying the costs for medical service and medical documentation issued.

The law provides for protective measures undertaken by civil society associations. Protective measures are also undertaken by the local self-government units. The units of local self-government, in the field of prevention of domestic violence, provide protection to the victims in the community, establish shelter centers, counselling for victims and perpetrators of domestic violence, counselling for parents and children, marital and family counselling and other forms of care and assistance to the victims, as well as local SOS lines. The units of local self-government undertake measures for establishment of mutual

and coordinated cooperation at local or regional level between centers for social work, police stations, health, preschool and educational institutions, and associations.

This law also provides for temporary protective measures issued by the court based on the principle of urgent action. One of the urgent measures issued by the court upon proposal from the MOI and without the victim's consent, for the purpose of removing the immediate and serious danger against the life and integrity of the victim and the members of her family, is the temporary protective measure - removal of the offender from the home and issuing a restraining order. This temporary measure is issued for a period of minimum 10 and maximum 30 days. Moreover, upon proposal from the Ministry of Interior, the court may issue a temporary protective measure for prohibiting possession of firearms or other weapons, or their confiscation. One of the protective measures is the mandatory legal support of the family by the perpetrator of violence, which can be imposed as an intervention measure for a period of 3 months to 1 year, which the court issues in order to ensure financially stability of the victim during a time of her life when she has to deal with other issues related to the violence.

Other temporary protective measures may be proposed to the court by a competent centar for social work or by the victim, such as: prohibition to threaten to commit domestic violence; prohibition to abuse, harass, telephone, contact or otherwise communicate with a family member, directly or indirectly; mandatory return of the items needed for meeting the daily needs of the family; mandatory legal support of the family; mandatory attendance of an appropriate counselling centar; mandatory treatment of the perpetrator if he abuses alcohol, drugs and other psychotropic substances or has a mental illness; mandatory reimbursement of medical and other expenses incurred as a result of the domestic violence.

Conclusion: Although the focus of this Law is on domestic violence, the Law is not gender-sensitive, uses gender-neutral terms, does not recognize women as a separate vulnerable group, nor does it provide for specific measures for their protection and reintegration.

NOTE: In December 2019, the Ministry of Labor and Social Policy drafted a new Law on Prevention and Protection from Violence against Women, including domestic violence, which covers all forms of gender-based violence, specialized services under the Istanbul Convention, and contains a separate Article on the reintegration and rehabilitation of women victims of violence and domestic violence. This law has not yet been adopted by the Assembly of RNM due to the current political situation, i.e. the existence of a technical government until the parliamentary elections scheduled for 12 April 2020.

Legislation related to employment

Law on Labor

The Labor Law⁵ provides special protection for women due to pregnancy, childbirth and parenthood and to a mother with a child up to three years of age and a single parent with a child up to six years of age. According to this Law, the employer is obligated to enable employees to easily reconcile their family and professional obligations

Conclusion: This Law does not recognize women victims of domestic violence as a separate target group and does not provide for protective measures against loss of employment, nor does it provide for mitigating measures by employers to support women who have left the violent environment. In addition, the Law does not provide for the sensitization of employers to prioritize and recognize the urgency of including victims of gender-based violence in the labor market.

Law on Employment and Insurance in Case of Unemployment

⁵Labor Law, Ministry of Labor and Social Policy, <u>https://cutt.ly/zakonzarabotniodnosi</u>

Article 98-f of this Law⁶ lists the categories of unemployed persons for which the employer can use exemption from payment of compulsory social insurance contributions. These categories include victims of domestic violence, single parents and members of one-parent families who have not been employed for at least three months before the current employment, recipients of social welfare, children without parents and parental care and other categories of unemployed persons.

Additionally, the Employment Agency regulates, with a special act, the rights and obligations arising from the different status of persons, and thus the possibilities for using the active employment measures provided for in the operational plans for employment adopted annually by the Ministry of Labor and Social Policy.

Conclusion: The law recognizes victims of domestic violence as a vulnerable category and encourages employers by exempting them from payment of compulsory social security contributions.

National Employment Strategy 2016 - 2020

This strategy⁷ outlines the primary role of the Employment Agency, the full list of activities to be implemented, as well as the EA's designated cooperation with employers and increased participation of vulnerable categories in the active labor market measures (unemployed persons for over 2 years, beneficiaries of social welfare and household members, women victims of domestic violence, people with disabilities and reduced working capacity).

Integrated employment measures, including counselling, training, and subsidized employment, are planned to be implemented for certain vulnerable population groups, such as women victims of domestic violence, social welfare recipients, and the like. For more effective implementation of the strategy, EARNM, in close cooperation with the MLSP, each year individually prepares operational plans with active employment measures adopted by the Government of the RNM.

Conclusion: The National Employment Strategy recognizes victims of domestic violence as a particularly vulnerable category and provides for specific measures for increasing employment opportunities and achieving economic independence.

Operation plans for labor market services and active employment measures and programs

The operational plans are prepared and implemented yearly. From 2015, the operational plans⁸ foresee active measures for employment of victims of domestic violence: Self-employment program (Entrepreneurship), salary subsidization through: on-the-job training with subsidized employment, followed by additional trainings such as: on-the-job training with known employer, vocational training according to the employer's requirements, vocational training and crafts training, skills training.

It also envisages the Internship measure for young people up to 29 and 34 years, as well as a work placement program for women who are more difficult to employ, namely: community service and public works. A conditional cash benefit program is also planned for subsidized employment of persons in social risk with additional training/work foreseen in the Pilot Programs.

In 2018, an additional operational plan for 2018⁹ was adopted to implement the activities of the National Action Plan on Gender Equality 2018-2020¹⁰, which are under the competence of the EA which defines

⁶Law on Employment and Insurance in Case of Unemployment, Ministry of Labor and Social Policy <u>https://cutt.ly/vrabotuvanjenevrabotenost</u>

⁷National Employment Strategy 2016 – 2020, Ministry of Labor and Social Policy, https://cutt.ly/NacStrgVrabotuvanje

⁸Operational Plan on Labor Market Services and Active Employment Programs and Measures for 2015, Employment Agency of RNM, <u>https://cutt.ly/OP2015</u>

⁹Operational Plan on Labor Market Services and Active Employment Programs and Measures for 2018, Employment Agency of RNM, <u>https://cutt.ly/OP2018</u>

¹⁰National Plan of Action on Gender equality, Ministry of Labor and Social Policy, https://cutt.ly/NPArodovoaednakvost

the strategic goals for promoting measures and policies to increase women's employability through promotional activities and outreach to unemployed women from urban and rural areas.

The Operational Plans of 2019 and 2020¹¹ introduce the category of unemployed women from vulnerable categories listed as recipients of social welfare, victims of domestic violence, victims of human trafficking, long-term unemployed women, single mothers, socially excluded women on the basis of redundancy and insolvency. This category refers to the measure Self-Employment Program (Entrepreneurship).

Conclusion: Labor Market Services Operational Plans and Active Employment Programs and Measures (2015 -2020) recognize women victims of domestic violence as a vulnerable category, but the measures are not tailored to the individual needs and actual situation of the victim, but are general for all categories of persons at social risk.

Legislation related to housing

Law on housing

The Law on Housing was enacted in 2009¹² and regulates non-profit housing as well as the categories of persons entitled to such housing, but in its Article 91 the Law does not recognize women victims of domestic violence as a separate vulnerable category and does not provide housing options specifically designed for the needs of this target group.

Law on Subsidizing Home Loans

This law regulates the subsidization of housing loans¹³. In principle, subsidized housing loans may be used by a natural person who is a citizen of the Republic of Macedonia, has a permanent residence on the territory of the Republic of Macedonia, meets the conditions for obtaining a housing loan prescribed by the commercial banks and meets the other criteria prescribed in this Law. The Law does not set separate criteria depending on the family or marital status of the persons. Although preference is given to applicants with lower incomes and lower amounts of credit, no specific groups with specific characteristics and needs are listed.

Legislation related to Free Legal Aid

Law on Free Legal Aid

The new Law on Free Legal Aid was adopted on May 16, 2019, with delayed implementation, i.e. it entered into force on 01.10.2019¹⁴. According to this Law, free legal aid can be provided as primary legal aid and as secondary legal aid. Additionally, the new Law provides for funding of authorized associations that provide prior legal aid - with the entry into force of the Law, funding will be provided through grants from the budget of the Ministry of Justice, giving the free legal aid system the opportunity for long-term development and sustainability.

Regarding victims of gender-based violence and domestic violence, this Law recognizes and covers them in the primary legal aid (Article 6 of LFLA), as well as in the provision of the secondary legal aid. Article 20 of the LFLA stipulates that secondary legal aid will be provided to victims of domestic violence or their close family members without establishing their financial situation for initiation of and

¹² Law on Housing, Official Gazette of RNM, available at <u>link</u>

¹¹Revised Operational Plan on Labor Market Services and Active Employment Programs and Measures for 2019, Employment Agency of the RNM , <u>https://av.gov.mk/content/Dokumenti/Revidiran%20OP-2019%2021oktomvri.pdf</u>

¹³Law on Subsidizing Home Loans, Official Gazette of RNM, available at link

¹⁴Law on Free Legal Aid, Official Gazette of RNM, <u>http://www.slvesnik.com.mk/lssues/93af90af565443e38308333c2c2146cd.pdf</u>

representation in a procedure for imposing temporary measures for protection against domestic violence before a competent court.

Legislation related to financial aid

Law on Social Protection

The Law on Social Protection¹⁵ does not recognize women as a separate vulnerable category of victims of domestic violence and does not provide for specific measures for the protection, prevention and reintegration of women victims of domestic violence. The law itself states that all terms and expressions used in this law that are gender-neutral are used neutrally and refer equally to men and women (art. 5). Victims of gender-based violence are only recognized in Article 83 and only have access to temporary sheltering services through which they can receive protection and professional assistance.

In this law, 2 types of financial support for women victims are available: one-time financial aid of up to 15,000 MKD (250 EUR) for the needs of the victim of domestic violence for providing emergency protection and care and up to 12,000 MKD (200 EUR) for meeting the needs of the victim of domestic violence for exercising the right to health care and medical treatment. The One-time financial assistance of up to 15,000 MKD for the needs of a victim of domestic violence is not sufficient to encourage victims to leave the perpetrator. With this lump sum, victims will not have the financial sustainability, that is, the amount is insufficient to cover their basic subsistence costs related with their reintegration. The anticipated amount of up to 12,000 MKD for exercising the right to health care and medical treatment can only be assessed as appropriate if the Ministry of Health exempts domestic violence victims from participating in violence-related health services and provides free check-ups for uninsured victims, as foreseen in the Action Plan for Implementation of the Istanbul Convention. This implies full coverage with no additional "hidden costs" for victims, i.e. all health facilities to abide by this measure. The criteria for granting these two types of financial assistance are not precisely laid down, which leaves room for the social workers to freely decide what amount the victim would receive, i.e. to grant a much lower amount than the maximum established or not at all, in the case of a victim who is employed and has an average monthly income.

The law provides institutional and non-institutional support for victims in the form of sheltering and psychosocial support services. Temporary sheltering of victims of domestic violence provides protection and professional assistance for social integration for up to 3 months, in exceptional cases for up to 6 months, but not more than one year. This article is gender-sensitive because it recognizes the importance of social reintegration of victims of domestic and gender-based violence. But not all victims are entitled to these forms of protection due to the lack of an adequate number of services available nationally. Namely, on the territory of RNM, there are a total of 7 shelter centers, out of which 4 are in the capital, and there are two counselling centers which are also located in the capital¹⁶.

The Law on Social Protection does not foresee measures for reintegration and rehabilitation of victims of domestic and gender-based violence.

Law on Amendments to the Law on Child Protection

The Law on Child Protection¹⁷ was amended in 2019 as part of the social reform. The law itself does not contain rights that relate to victims of violence and domestic violence, nor does it provide special assistance for the reintegration and rehabilitation of victims and their children. However, the rights that children can exercise through this Law could contribute to the process of reintegration of victims and their children in financial terms.

Thus, the following child rights are available: 1) child allowance; 2) special allowance; 3) one-time financial assistance for a new-born; 4) parental allowance for a child; 5) education allowance; 6) co-payments. What is particularly important for exercising the rights to child allowance and education allowance is that when calculating the total family income for the threshold for accessing these rights,

http://www.mtsp.gov.mk/content/pdf/zakoni/2019/28.5_zakon_SZ.pdf

¹⁷ Law on Amendments to the Law on Child Protection, Ministry of Labor and Social Policy, available at link

¹⁵ Law on Social Protection, Ministry of Labor and Social policy,

¹⁶ Gender aspect and Victims of Gender Based and Domestic Violence in the Law on Social Protection of the Republic of North Macedonia, National Network to End Violence Against Women and Domestic Violence, 2019, available at <u>link</u>

the perpetrator of domestic violence is not considered as a family member and his/her income is not calculated. This facilitates the realization of these rights for children who have been direct or indirect victims of domestic violence.

Documents regarding services for gender-based violence and domestic violence on local level

Republic of North Macedonia has 8 statistical regions divided into 80 municipalities as local selfgovernment units and The City of Skopje as separate administrative unit in frames of the Skopje region. For the purposes of this baseline research, all 80 municipalities plus City of Skopje were included trough different research tools: desk review of existing documents; official request for public information (electronic and postal) and telephone interviews. Official requests for public information were prepared and send to 30 municipalities form RNM which have local Centers for Social Work, including the City of Skopje. There municipalities were selected solely because of the existence of CSW, which is the reason why they prepare Programs for social protection on yearly basis. For the ones which didn't respond in the given deadline, a desk review was conducted. Also, official requests and desk reviews of documents were conducted for 17 municipalities in the Skopje region, although they don't have separate CSW. The rest 34 municipalities were contacted trough telephone interviews and desk reviews of documents.

A total of 55 municipalities or 69% responded in the given deadline. The Law on Public Information provides a deadline of 30 days, which is the main reason for not yet receiving answers from 11 municipalities, where the rest 14 didn't respond or were unable to be contacted in any form. After the kick-off meeting in Belgrade (4-7 February 2020) and the deadline for the baseline report (10th of March 2020), only 2 weeks were given as deadline for response. We expect to receive additional 11 responses in the 30-day deadline period and update this repost in the near future.

The baseline findings are as follows:

- 39 municipalities have yearly Programs for social protection.

- 20 of these have some form of support for women victims of GBV and DV.

- only 8 municipalities have allocated budget funds for specialized services for women victims of GBV and DV.

- only 1 municipality has established reintegration and rehabilitation service for women victims of DV (City of Skopje).

- 10 municipalities provide one-time financial aid for women victims of DV.

Local documents related to GBV and DV (programs, strategies, decisions)

The City of Skopje has yearly Programs on activities in the field of social, child and health care in the city of Skopje¹⁸ where activities related to DV are proposed. Since 2015, the City of Skopje provides financial support the First Family Centre of the City of Skopje¹⁹, counselling centar for women and children victims of GBV and DV, and counselling centar for perpetrators of DV. This specialized service is managed by NGO HERA and 1.500.000 MKD (24.400 EUR) are allocated every year. Also, the City of Skopje has adopted the Strategy for Gender Equality in 2011²⁰ which provides the basis for gender responsive budgeting for specialized services for GBV and DV. In March 2020, National Network to end violence against women and domestic violence, opened the first and only reintegration and

¹⁸ City of Skopje, Programs, <u>https://skopje.gov.mk/mk/objavi/programi/</u>

¹⁹ First Family Center in the City of Skopje, <u>https://hera.org.mk/servisi/prv-semeen-centar/</u>

²⁰ Strategy for Gender Equality – Skopje Gender equal city, 2011, available at link

rehabilitation service for women victims of DV in the City of Skopje, for which the City allocated 1.000.000 MKD (16.260 EUR) for 2020.

Skopje region municipalities Aerodrom (400.000 MKD/6.500 EUR), Butel (200.000 MKD/3.250 EUR), Gazi Baba(200.000 MKD/ 3.250 EUR), Gjorce Petrov(200.000 MKD/3.250 EUR)²¹, Karpos(200.000 MKD/ 3.250 EUR), and Centar (200.000 MKD/ 3.250 EUR), have allocated funding for specialized services for women and children victims of GBV and DV, for establishing another counselling centar in the City of Skopje. The counselling centar will be established in 2020 by National network to end violence and will provide services to women and children victims of GV and DV.

• Municipality of Centar donated 90.000 MKD (1.500 EUR) in 2017, Municipality of Aerodrom donated 30.000 MKD (500 EUR) in 2018 and Municipality of Valandovo donated 20.000 MKD (330 EUR) in 2018 in the Women's Intervention Fund run by National network to end violence.

• Municipality of Berovo has local Strategy for social inclusion, social protection and elimination of poverty²² where victims of DV are recognized as vulnerable group, but so far, no funds have been allocated for women victims.

• Municipality of Bogdanci has local decision published in the Program for social protection 2019 and 2020²³ for one-time financial aid of 3000 MKD (50 EUR) for victims of DV.

Municipality of Veles has allocated 50.000 MKD (1.600 EUR) as a total amount for financial aid for victims of DV and supports the local Shelter for victims of DV by providing space and facilities²⁴;

Municipality of Vrapchishte has local decision published in the Program for social protection 2019 and 2020 for one-time financial aid 12.000 MKD (200 EUR) for victims of DV.

Municipality of Kavadarci has local decision published in the Program for social protection 2019 and 2020²⁵ for one-time financial aid of 20.000 MKD (350 EUR) for victims of DV.

Municipality of Kochani has listed victims of DV as vulnerable group who can receive financial aid but does not have exact information on the amount available.

Municipality of Makedonski Brod has local decision published in the Program for social protection 2019 and 2020 for one-time financial aid for victims of DV in a total budget amount of 50.000 MKD (1.600 EUR).

Municipality of Negotino has allocated 100.000 MKD for counselling centar for women and children victims of DV in the Programs for social protection for 2019 and 2020²⁶, but the service is not established yet.

Municipality of Resen has local decision published in the Program for social protection 2019 and 2020 for one-time financial aid of 20.000 MKD (350 EUR) for victims of DV and human trafficking; Also, Resen has local Program on equal opportunities among women and men for 2019 and 2020, and Program on prevention against domestic violence for 2020 with budget of 100.000 MKD;

Municipality of Sveti Nikole has local decision published in the Program for social protection 2020 for one-time financial aid of 3.000 – 6.000 MKD (50-100 EUR) for victims of DV.

Municipality of Staro Nagorichane has local decision published in the Program for social protection 2019 and 2020 for one-time financial aid of 8.000 MKD (130 EUR) for victims of DV

Municipality of Shtip has allocated 108.000 MKD (1.800 EUR) for counselling centar for women and children victims of DV in the Programs for social protection for 2020, which is provided by NGO EHO; Also Shtip has adopted Program for equal opportunities among women and men for 2109 and 2020, Local Action Plan for protection of women and girls victims of GBV 2018-2020 and has established local multiagency team against DV;

²¹ Program on Social protection in the Municipality of Gjorce Petrov 2020, available at <u>link</u>

²² Strategy for social inclusion, social protection and elimination of poverty in Berovo, available at link

²³ Program on the measures and activities of the Municipality of Bogdanci in the field of social protection in 2020, Council of Municipality Bogdanci, December 2019

²⁴ Program on the measures and activities of the Municipality of Veles in the field of social protection in 2019, Council of Municipality Bogdanci, November 2018

²⁵ Program on the activities of the Municipality of Kavadarci in the field of social protection in 2019, Mayor of Municipality Kavadarci, December 2018

²⁶ Official Messenger of the Municipality of Negotino, Program for Social Protection, available at link

List of services for women victims of GBV and DV

General services

General support services are provided by the following public institutions:

- Centers for Social Work: 30 centers in 30 municipalities²⁷, 36 branch offices of CSW in 36 municipalities²⁸ in RNM and one Institute for Social Affairs.

- Health Institutions: 14 General Hospitals, 29 Hospitals, 11 Public Health centers, 32 Clinics and clinical centers, 9 Special Hospitals, 3 Institutes and 3 Psychiatric Hospitals²⁹.

- Agency for Employment of RNM.

Law for social protection provides several types of financial assistance for people in social risk. More specifically, minimum guaranteed income (depends on the members of the family) is the main type of financial aid that can be acquired. Other types of financial aid are predicted for people with different types of disability, one parent families, etc. Law on Social Protection also provides financial assistance for housing regulated in Article 27. This allowance applies to all persons who are financially and economically insecure and who are beneficiaries of a minimum guaranteed income and to a person who had the status of a child without parents and without parental care until the age of 18, up to the age of 26 years.

Pursuant to the same law, Article 62 provides victims of domestic violence with one-time financial assistance of up to 15.000 MKD for providing emergency protection and care, and up to 12.000 MKD for health care and medical treatment.

In terms of health services, women victims of GBV and DV are relived from the obligation to pay participation for health services. This right although is regulated in Law for health protection still it is not implemented. To accomplish this right, the victim must be insured in the public health institutions. Additionally, all specialist treatments require participation by beneficiaries, so regardless of health insurance status, women victims are obligated to cover these costs by themselves. Moreover, if they don't have health insurance, they have to cover the total amount of health service provided.

The Employment Agency of RNM provides Active programs and measures for Employment trough the yearly Operational Plans (2015-2020). Although these documents recognize women victims are as a vulnerable group, the proposed measures are not tailored to the individual needs or the victims and are created for general categories of persons at social risk.

Specialized services

Specialized services for women victims of DV are regulated in the Law for social protection as part of all social services provided for people in risk and are not separately defined. Namely, all social services are listed in one article and generally described. Ministry of labor and social policy adopted standards for some of the services, i.e. standard for shelter centar for victims of DV, for counselling centar for victims of DV, and counselling centar for perpetrators of DV (although the last one is not specialized service for women victims, we thought is important to be mentioned).

New specialized services for women victims of GBV and DV are being established according to the NAP for Implementation of IC (2018-2023) throughout the country. These are supported by the MLSP and are managed by local CSW. In total, 11 new services we opened in December 2019. The rest of

²⁷ Centers for social work in RNM, Agency for Public Information, https://cutt.ly/centrizasocrabota

²⁸ Branch offices of CSW, Ministry of Labor and Social Policy, available at link

²⁹ Health Institutions in RNM, Agency for Public Information, <u>https://cutt.ly/zdrustanovi</u>

services were already established before ratification of the IC and adopting the NAP. Here is a complete list of specializes services in RNM divided by cities:

Tetovo:

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Tetovo, Telephone: +389 78 837 111, e-mail: jumcsrTetovo@mtsp.gov.mk

- Free legal aid for victims of GBV and DV, NGO "Women's Forum" – Tetovo, Telephone: +389 44 337 440, Email: <u>info@forumi.org.mk</u>, Webpage: <u>http://www.forumi.org.mk/</u>

- Rape referral centar for victims of sexual violence, General Hospital Tetovo, Telephone: (044) 349-701, (044) 335-925

b) Ohrid:

- Shelter centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Ohrid, Telephone: +389 71 231 032

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Ohrid, Telephone: +389 77 937 916, e-mail: jumcsrOhrid@mtsp.gov.mk

c) Shtip:

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Shtip, Telephone: +389 76 475 052

- Crisis centar for women victims of GBV and DV 24/48h., Intermunicipal Centre for Social Work Shtip, Telephone: +389 76 475 050, e-mail: jumcsrShtip@mtsp.gov.mk

- Free legal aid to women victims of GBV and DV, NGO EHO, Telephone: +389(0)32 384143, +389(0)70 831143, email: ed_hum_eho@yahoo.com, Webpage: https://www.eho-org.mk

d) Kumanovo:

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Kumanovo, Telephone: +389 77 993 705, e-mail: jumcsrKumanovo@mtsp.gov.mk

- Free legal aid, general including victims of DV, NGO National Roma Centrum, Telephone: +389 31 427 558, Email: info@nationalromacentrum.org, Webpage: www.nationalromacentrum.org/mk/

- Rape referral centar for victims of sexual violence, General Hospital Kumanovo, Telephone: (031) 425 460, (031) 417-090, email: <u>opstabolnica_ku@yahoo.com</u>

e) Veles:

- Shelter centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Veles, Telephone: +389 76 340 225, e-mail: jumcsrVeles@mtsp.gov.mk

- Free legal aid to women victims of DV, NGO Organization of women of the City of Veles.

f) Kavadarci:

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Kavadarci, Telephone: +389 78 298 015, e-mail: jumcsrKavadarci@mtsp.gov.mk

g) Prilep:

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Prilep, Telephone: +389 75 847 999

- Crisis centar for victims of GBV and DV 24/48h, Intermunicipal Centre for Social Work Prilep, Telephone: +389 78 412 027, e-mail: jumcsrPrilep@mtsp.gov.mk

h) Bitola:

- Counselling centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Bitola, Telephone: +389 71 397 875, e-mail: jumcsrBitola@mtsp.gov.mk

- Shelter centar for victims of DV, Intermunicipal Centre for Social Work Bitola, Telephone: +389 71 397 875, e-mail: jumcsrBitola@mtsp.gov.mk

I) Strumica:

- Shelter centar for women victims of DV, NGO Sky Plus Strumica

j) Sveti Nikole:

- Shelter centar for victims of GBV and DV, Intermunicipal Centre for Social Work Sveti Nikole, Telephone: +389 32 443 305, +389 70 210 995 Email: jumcsrSvetiNikole@mtsp.gov.mk Webpage: https://jumcsrsvetinikole.com.mk/

I) Skopje:

- Shelter centar for women victims of GBV and DV, Intermunicipal Centre for Social Work Skopje, Telephone: +389 76 486 074, e-mail: jumcsrSkopje@mtsp.gov.mk

- Shelter centar for women victims of DV and S.O.S helpline 15700, NGO Organization of women of the City of Skopje, Telephone: +389 (0)2 3164 815, Email: <u>osz_skopje@t.mk</u>, Webpage: http://www.ozs.org.mk/

- Crisis centar for women victims of DV and S.O.S. helpline 15315, NGO Crisis centar "Nadez", Telephone: +389 2 3173 – 424, Email: <u>info@krizencentar.org.mk</u>, Webpage: <u>https://www.krizencentar.org.mk/</u>

- S.O.S National helpline 141 700, NGO NCGE (SOZM) , Telephone: + 389 2 3134 390, Email: sozm@t-home.mk, Webpage: http://www.sozm.org.mk/

- Counselling centar for women and children victims of GBV and DV, NGO HERA "First Family centar of the City of Skopje", Telephone: +389 2 3200 007, Email: <u>infopsc@hera.org.mk</u>

- Counselling centar for perpetrators of DV, NGO HERA "First family centar of the City of Skopje", Telephone: +389 2 3200 007, Email: <u>infopsc@hera.org.mk</u>, Webpage: <u>https://hera.org.mk/servisi/prv-semeen-centar/</u>

- Psychosocial counselling for women victims of GBV and DV, NGO National Network to end violence against women and domestic violence, Telephone: +389 (0)2 609 006, email: <u>coordinator@glasprotivnasilstvo.org.mk</u>, webpage: <u>http://www.glasprotivnasilstvo.org.mk</u>

<u>-</u>Psychosocial counselling for women victims of GBV and DV, Institute for marriage, family and system practice – <u>Alternativa, Telephone:</u> +389 <u>76 457566, +389</u> 2 2450 671 <u>email:</u> <u>institut_brak_family@yahoo.com_webpage: http://institutalternativa.mk</u>

- Free legal aid for women victims of GBV and DV, NGO National Network to end violence against women and domestic violence, telephone: +389 75 255 154, email: pravnicka@glasprotivnasilstvo.org.mk, webpage: http://www.glasprotivnasilstvo.org.mk

- Free legal aid, general including victims of GBV and DV, NGO Helsinki Committee North Macedonia, Telephone: +389 (0)2 3119 073, Email: <u>helkom@mhc.org.mk</u>, Webpage: <u>https://mhc.org.mk/</u>

- Free legal aid, general including victims of GBV and DV NGO MYLA (Macedonian Young Lawyers Association), Telephone: +38923220870, Email: <u>contact@myla.org.mk</u>., Webpage: <u>http://myla.org.mk/</u>

 Free legal aid for victims of GBV and DV, NGO ESSE, Telephone: Email: <u>esem@esem.org.mk</u> Webpage: <u>http://www.esem.org.mk/</u>

- Rape referral centar for victims of sexual violence, PHI University Clinic of Gynecology and Obstetrics - Skopje, Telephone: (02) 3147-701, (02) 3147-422, email: <u>ukginekologija@zdravstvo.gov.mk</u>

- Centre for victims of human trafficking and victims of sexual violence and S.O.S. helpline for victims of human trafficking 0800 11111, NGO Open Gate LaStrada, Telephone: +389 02 2700 107, +389 02 2700 367, email: <u>lastrada@lastrada.org.mk</u>, webpage: <u>http://lastrada.org.mk/</u>

Reintegration and rehabilitation services

A) Skopje:

- House for open housing, NGO National Network to end violence against women and domestic violence, Telephone: +389 (0)2 609 006, email: <u>coordinator@glasprotivnasilstvo.org.mk</u>, webpage: <u>http://www.glasprotivnasilstvo.org.mk/</u>

The specialized services for women victims of GBV and DV and the reintegration and rehabilitation services listed above have funding from different sources and are managed by different entities:

- managed by NGOs and funded by state institutions (MLSP and local self-government): 9

- managed by NGOs and funded by donators (local and international): 9

- managed and funded by MLSP (CSW): 17

Regarding the fulfilment of minimum standards for provision of specialized services for women victims of GBV and DV according to Council of Europe, it should be noted that no assessment has been made and that it is not possible to say at the moment whether they meet these standards and whether quality services are provided.

Recommendations for reintegration and rehabilitation of women victims of GBV and DV³⁰

Given the different economic and social circumstances in the RNM, it is necessary to develop measures and policies to ensure that women victims of GBV and DV, who are economically dependent on the perpetrator of violence and in risk of homelessness, are able to leave the violent surrounding, do not return to the perpetrators home and/or don't enter a new violent relationship in the future.

Recommendations

Women victims of violence must be recognized as a particularly vulnerable category in the Law on Social Protection. The law should provide for a separate Chapter on Reintegration of Victims of Domestic Violence that will cover different types of social assistance and services tailored to the needs of victims.

Establishment of a State Fund for financial support of women victims of violence who have left the violent surroundings and are at social risk. Social risk is not only unemployment, but also inability to meet daily needs due to insufficient income and not owning property.

Changing the definition of single parents, with the goal of increasing the coverage of the beneficiaries of assistance provided for this vulnerable category. That is, the inclusion of families where one parent (with whom the children do not live) does not meet its parental obligations both in terms of maintaining contact with the children and in the regularity of the payment of support provided by the Court.

³⁰ Thematic document: Proposed Model for Reintegration of Women Victims of Domestic Violence, National Network to End Violence Against Women and Domestic Violence, 2019, available at <u>link</u>

Establishing a state fund for child support payments, and assuming the obligation of the state to collect the debts of the parent who is obliged by the Court to pay support.

Women victims of violence to be recognized as a particularly vulnerable category in the Law on Housing; the Decision on the allocation of social housing as well as the conditions for their use, as well as to amend the methodology based on which certain categories of social housing applicants are scored;

Adopt a new law on social housing or supplement the existing one with a separate section covering social housing, where women victims of violence will be recognized.

Commit all local self-government units to comply with their legal obligations to adopt their annual programs for social protection and financial support for women victims of domestic violence.

Commit local self-government units to maintain a database and records of all socially vulnerable categories living in their municipality, including separately identifying women victims of domestic violence and domestic violence.

Develop employment measures tailored to the needs of women victims of domestic violence.

Introduction of paid leave - adapting the Law on Labor so that victims of domestic violence will be entitled to 10 working days of paid leave in case of suffered violence. Such a measure would help victims relocate but would also encourage them to leave the perpetrator as their financial status associated with the risk of losing their jobs will be gone.

Proposed model for reintegration of women victims of domestic violence

Housing: Accommodation for a specified period, from 6 months up to a maximum of 2 (two) years from the moment of leaving the violent environment, until fully integrated into society. This measure is intended exclusively for victims who are unable to secure their home, do not have their own home, and cannot use their parents' home. The State, with its own mechanisms and financing of services and services responsible for the protection of the victim, would create a place of residence for the victims, with no security risk, for a maximum of 2 years, depending on the economic situation of the victim, her stability, working conditions, ability and other key conditions that would be assessed through continued psychological counselling and case management by specialist services.

Psychosocial counselling: Preparing the victim to face new challenges outside the violent surrounding, without the risk of homelessness (temporarily secured housing) and in a situation of satisfied basic living needs. Psychological counselling needs to be continuous throughout the victim's recovery period, facing new challenges arising from the new living environment, new workplace, as well as informing her of any rights and obligations she may have in order to prepare her for a completely independent life, with the complete exclusion of the risk of returning to a violent environment or falling into a new violent relationship. Changing the self-image and increasing self-esteem is a key factor in preventing violence and stepping out of the role of victim.

Financial aid: With realistic assessment of the financial situation of the victim, she should be provided with financial assistance, allowance for basic needs for herself and minor children, who are under guardianship until their permanent employment, and according to her working ability and education, which would be provided as package of measures. The package of measures would include:

- Exemption from costs related to the education of children (school supplies, school materials, attendance of teaching activities requiring additional payments, etc.).
- Exemption from participation payment for preschool institutions and other costs related to kindergarten teaching.
- Complete exemption from participation payments for health services, including procurement of medicines.
- Exemption from public transport costs for her and her children (getting free monthly public transport cards).

- Enable the use of direct financial assistance from the state.
- Child support allowance if there is no regular payment.
- Introduce a voucher system for bargaining (MLSP in collaboration with civil organizations/ business community to introduce a voucher system to be used to procure food/ hygiene products for victims of domestic violence). Criteria for obtaining the vouchers can be further determined based on one-time aid, type of accommodation (short-term or long-term) etc.

Public education and trainings: In order to successfully restore and enable the victim to be economically independent and based on the assessment of the existing skills and capacities of the woman, she should be provided with public education and training, with the final goal of employment, improvement and economic empowerment. An assessment and insight into the working ability of the victim would provide an individual plan to enable her to receive adequate education or training and further training in order to strengthen and become independent.

Employment: Victims who, after receiving primary care, can be accommodated and are successfully integrated into their day-to-day responsibilities, need to be provided with employment assistance by developing measures and policies and records of victims for whom employment assistance would be primary, in accordance with the law and in cooperation with the Employment Agency of the RNM, and with the help and guidance provided by the CSW and CSOs. Namely, employment support measures need to be designed in a way that is tailored to the individual needs of the victims. This involves women victims of domestic violence who after leaving the violent environment often function as single-parent families and employment opportunities are reduced, especially in situations where there are one or more minor children (preschool age).

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In December 2019, the Ministry of Labor and Social Policy drafted a new Law on Prevention and Protection from Violence against Women, including domestic violence, which covers all forms of gender-based violence, specialized services under the Istanbul Convention, and contains a separate Article on the reintegration and rehabilitation of women victims of violence and domestic violence. This law has not yet been adopted by the Assembly of RNM due to the current political situation, i.e. the existence of a technical government until the parliamentary elections scheduled for 12 April 2020.