

**REPORT
ON THE PROGRESS OF
N. MACEDONIA
IN THE IMPLEMENTATION
OF THE NATIONAL ACTION
PLAN FOR THE
IMPLEMENTATION
OF THE ISTANBUL
CONVENTION**

October 2018 - October 2020

National Network to End
Violence against Women
and Domestic Violence

Publisher: National Network to End Violence against Women and Domestic violence

November 2020

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The Kvinna till Kvinna Foundation



This document is fully or partially funded by the Swedish International Development Agency (SiDA) and the Kvinna till Kvinna Foundation. SiDA and Kvinna till Kvinna do not necessarily agree with the opinions expressed. Authors bear sole responsibility for the content.

The document was produced within the project "On the Road to the EU: Prevention of Violence against Women in the Republic of Macedonia" financed by the Swedish foundation Kvinna till Kvinna.

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INTRODUCTION

Violence against women leaves severe and permanent consequences on their psychological and physical integrity, represents an obstacle to the enjoyment of the basic human rights and has a tendency to maintain a *status quo* in the relations of inequality between men and women, which is why countries around the world are taking measures to prevent and protect against all forms of gender-based violence in accordance with the international human rights law.

The Republic of North Macedonia was among the first countries to sign the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), and in December 2017, after a lengthy period and intense pressure from civil society organizations, the Assembly ratified the Convention and it entered into force in June 2018. By ratifying the Convention, the state undertook to take legislative and other measures for ensure a legal, institutional and organizational framework for prevention of violence against women, protection of the victims of violence and punishment of perpetrators of violence. The legal act of the Convention implies that with its ratification, it becomes a part of the internal legal order, which imposes the need for harmonization of the existing legal and institutional framework with its provisions.

After the ratification of the Istanbul Convention, the state, through the Ministry of Labor and Social Policy (MLSP), prepared a National Action Plan for the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (NAP for IC) in order to envisage specific activities, to determine the competent institutions and to allocate the financial resources needed for harmonization with the provisions of the Convention, in accordance with the established dynamics. In fact, the National Action Plan enables better monitoring of the progress in the harmonization of the national legislation with the provisions of the Convention,

but also fulfillment of the other obligations in the direction of prevention of gender-based violence and ensuring quick and effective protection of victims and prosecution and punishment of perpetrators. The National Action Plan was adopted on 9 October 2019, at the 23rd Government Session, when all ministries were obligated to prepare operational plans for the implementation of the activities from the NAP for IC.

In 2020, the WHO declared a COVID-19 pandemic, which marked the start of a global health crisis with grave consequences in all spheres of social life, and especially in protection and respect of human rights and freedoms. The burden on the healthcare system, the directing of the entire state mechanism capacities towards dealing with the virus, social isolation and movement restrictions increased the risk of domestic violence as a form of gender-based violence that disproportionately affects women. The crisis undoubtedly affected the work of the institutions, reduced their capacity, and thereby prolonged the implementation of the activities envisaged with the National Action Plan for the implementation of the Istanbul Convention.

The aim of this report is to evaluate the progress in the implementation of the activities and fulfillment of the indicators established with the National Action Plan for the implementation of the Istanbul Convention (2018-2023)¹(hereinafter the NAP) in the direction of harmonization with the standards of the Convention.² The NAP stipulates a dynamics of implementing activities in the period 2018-2023, and this document monitors their implementation in the period from October 2018 to October 2020.

¹ The Action Plan for the implementation of the Convention on Preventing and Combating Violence against Women and Domestic Violence in the Republic of Macedonia 2018-2023, available on the following [link](#).

² The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is available on the following [link](#).

THE SCOPE OF THE NATIONAL ACTION PLAN FOR THE IMPLEMENTATION OF THE ISTANBUL CONVENTION

As a strategic document of the Government of the Republic of North Macedonia, the NAP defines the activities, responsible institutions, indicators and timeframe for harmonization of the provisions of the Convention with the national legislation for the period 2018-2023.

The main goal of the Plan is to stipulate, implement and coordinate promotion of a comprehensive policy for prevention and protection for violence against women and domestic violence.

The adopted NAP has three main goals:

1. Harmonization of the legal framework with the provisions of the Convention.
2. Establishment of general and specialized services for promotion of the protection of victims of gender-based and domestic violence and
3. Implementation of activities for prevention of gender-based and domestic violence.

Harmonization of the legal framework with the provisions of the Convention. During the preparation and development of the NAP, the existing legal regulation was analyzed and laws which already regulate certain forms of violence or service relevant to victims of violence were identified. Moreover, laws that directly or indirectly contribute to the promotion of gender equality and the prevention of gender-based violence were identified. Thus, a list of laws that would require amending or remaking was made in order to ensure compliance with the recommendations of the Istanbul Convention.

One of the key principles of the Istanbul Convention that are binding to state-signatories is the principle of due diligence in relation to all aspects, i.e., prevention, protection, processing and sanctioning of violence. This

principle establishes the responsibility of the state for the violence against women, regardless of whether it is perpetrated by state or private actors.

Thus, the analysis of laws takes into account these principles and stipulates amendments to all laws that regulate violence, i.e. contribute to the promotion of gender equality in some way. Therefore, the action plan stipulates amendments to laws in the area of social protection, healthcare, education, media, local self-government, etc.

Establishment of general and specialized services for promotion of the protection of victims of gender-based violence and victims of domestic violence. Taking into account the fact that victims of violence need adequate and specialized assistance and support in order to overcome the consequences of the violence, establishment of services for assistance and support is envisaged that would be available and accessible for all vulnerable categories of victims, and appropriately adapted to different forms of gender-based violence. The Convention additionally emphasizes and prescribes securing financial means for these services from the state budget, in order to ensure their sustainability and quality of the support provided.

The action plan stipulates development of standards for specialized services for victims of gender-based violence, a process that should go hand in hand with strengthening human and infrastructural capacities for establishment of this type of services. This means development of modules for training of professionals, organizing training for improving the knowledge of expert teams that provide direct protection, including those working in other relevant institutions.

Regarding the establishment of specialized services, the Action Plan stipulates opening services for support of victims of gender-based violence that have so far been non-existent in the country (rape crisis centers, centers for victims of sexual violence, etc.), but also stipulates increasing the number of the existing ones (crisis centers for victims of domestic violence, shelters/centers for long-term sheltering of victims of domestic violence, counselling centers, etc.).

Implementation of activities for prevention of gender-based violence and domestic violence.

The focus in this goal is put on eliminating prejudice, customs and traditional understanding of the inferiority of women in relation to men through implementing national media campaigns for raising awareness of all forms of gender-based violence, promoting gender-equality and eliminating gender roles stereotypes, conducting basic training for professional working in different areas (teachers and expert associates from primary and secondary schools, caregivers, representatives of local bodies for equal opportunities of the ULSG, media workers and professional associations of journalists), revising teaching curricula and programs in order to remove content that encourages gender inequality and violence, and introducing information about non-violent behavior, understanding and gender equality, peaceful resolution of conflicts in primary, secondary and higher education.

Additionally, improvement of the data collection system, as well as conducting analysis and research to facilitate the processes of creating policies and adopting measures necessary for victim protection, are foreseen. Continuous collection of data is necessary for measuring the success of policies and the need for amending certain laws, policies and services. Therefore, the Action Plan provides for establishment of a methodology for unified collection and processing of data from institutions and organizations that provide direct support to victims of all forms of violence.

As part of the prevention, increasing the importance of the role of the Ombudsman in monitoring femicides – murder of women, i.e., establishment of a femicide watch mechanism, is also foreseen.

The introduction to the document (NATP) states that *“The budget for implementation of the activities from the plan will be prepared in accordance and coordination with the current budget planning of separate ministries. Implementation of some of the activities will hugely rely on donors’ support, although the main responsibility to implement planned activities lies with the state.”* However, the budget breakdown for the planned activities lists the sources of funds, but not the actual amount needed for the implementation.

The document itself stipulates implementation deadlines. Namely, for part of the activities, the stipulated implementation deadlines ended before the start of the state of the emergency, i.e., in 2018 and the end of 2019, some of the activities were planned to be finalized in 2020, while others were envisaged as ongoing activities during the period 2018 - 2023.

This report monitors the progress of the three objectives of the NAP, provides a critical review of the implementation of the activities and offers recommendations for improvement of the situation in the direction of harmonization with the standards of the Convention in all three aspects.

The next section of the document provides the *methodology* used in the preparation of the report and a *tabular presentation* of the public availability of the operational plans of competent institutions. It also contains the activities foreseen in the NAP for IC and the course of their implementation in the period October 2018 – October 2020.

Finally, the documents offers key *remarks and recommendations* aimed at proposing measures and ways of implementing the activities from the National Action Plan in the direction of harmonization with the Convention, taking into account the situation with COVID-19, but also the risk of increasing violence in conditions of crisis.

METHODOLOGICAL FRAMEWORK

The methodological framework for the preparation of the report is based on a *desk analysis, legal analysis and research*.

The desk analysis is based on primary and secondary sources of data. It covers analysis of the activities stipulated in the NAP and the operational plans of competent institutions through analysis of publicly available documents, as well as of the responses received through requests for public information sent to institutions that have responsibilities under the NAP.

The legal analysis is based on primary sources of data and includes analysis of existing laws and bylaws, analysis of the provisions of the Istanbul Convention and monitoring the course of amendments to

national legislation in the direction of harmonization with the basic principles established in the Istanbul Convention.

The research is based on collecting data from competent ministries and other bodies through application of the right to access to public information and meetings with civil society organizations for collection and verification of the data received from competent institutions. Namely, in 2020, seven requests for public information were submitted to competent institutions, one working meeting was held with civil society organizations that work on prevention and protection from violence against women and domestic violence, working meetings were held and electronic communication was established with institutions responsible for the implementation of the NAP for the implementation of the Istanbul Convention.

OPERATIONAL PLANS OF COMPETENT INSTITUTIONS FOR IMPLEMENTATION OF THE ACTIVITIES FROM THE NAP FOR IC

With the adoption of the NAP in October 2018, the Government imposed an obligation on all competent authorities to prepare operational plans (hereinafter OP) in which they would stipulate, at the institutional level, implementation of the activities and publish their operational plans publicly on their websites. However, some of the competent institutions, based on the responses received on the requests for access to public information, informed that that they had not prepared operational plans because they did not see the need, and several ministries have prepared operational plans only for 2019, but not for 2020. Moreover, some of them have not published the operational plans on their websites, in line with the obligation established by the Government, which means that citizens are not provided with an insight into the progress and the commitments of the state to ensure protection from violence, or the opportunity to call the competent institutions to account.

Review of publicly un/available OP of competent institutions:

Publicly available OP	Publicly unavailable OP	Institutions that have not prepared OP for 2019 and 2020	Institutions that have not prepared OP for 2020
Ministry of Labor and Social Policy (2018-2019)³	Ministry of Information Society and Administration (2018/2019)	Ministry of Local Self-Government	Ministry of Labor and Social Policy
Ministry of Interior (2019⁴- 2020⁵)	Ministry of Education and Science (2019)		Ministry of Justice
Ministry of Health (2019⁶-2020)			Ministry of Education and Science
Ministry of Justice (2019)⁷			Ministry of Information Society and Administration

The Operational Plan of the Ministry of Labor and Social Policy for 2019 has been harmonized with the NAP in respect to the envisaged activities and deadlines for their implementation. For 2020, this Ministry has not prepared and publicly published the Operational Plan.

³ OP MLSP, 2018/2019, available on the following [link](#)

⁴ OP MoI 2019, available on [link](#) and [link](#)

⁵ OP MoI 2020, available on the following [link](#)

⁶ OP MH 2019, available on the following [link](#)

⁷ OP MJ, available on the following [link](#)

The Ministry of Interior has prepared OPs for 2019 and 2020 but has not published them publicly in line with the obligations of the Government. Also, the document is not fully harmonized with the NAP, i.e., no amendment to the Law on Police has been envisaged, although the same has been established as a responsibility of the Mol in accordance with the NAP.

The Operational Plan of the Ministry of Information Society and Administration for 2018/19 has been harmonized with the NAP in respect of the stipulated activities and the deadline for their implementation.

The NAP stipulates amendments to the Law on Misdemeanors against the Public Order within the competence of the Ministry of Justice and allocation of funds from the budget of the said Ministry. Still, the Operational Plan of the Ministry of Justice for 2019 does not stipulate activities for amendments to this Law.

The Operational Plan of the Ministry of Health for 2019 has been harmonized with the NAP in respect of the stipulated activities and the deadlines for their implementation. However, the Operational Plan for 2020 of the Ministry of Health does not contain activities for harmonization of the Participation Program with the indicators of the NAP, standards for specialized services for gender-based violence or trainings for providers of specialized services to victims of gender-based violence.

All of the above leads to the conclusion that apart from the Ministry of Interior and the Ministry of Health, no other Ministry has prepared and publicly published an Operational Plan for the implementation of NAP for IC for 2020.

TABULAR PRESENTATION OF ACTIVITIES AND THEIR IMPLEMENTATION
IN ACCORDANCE WITH THE DEADLINES STIPULATED IN THE NAP FOR IC

Objective 1 Harmonization of national legislation with the provisions of the Convention	
Activities from the NAP	Findings from monitoring the implementation
Adoption of a law on gender-based violence	ONGOING (stipulated deadline for implementation: end of 2019)
<p>Draft-law on prevention and protection from violence against women and domestic violence – in November 2020 adopted by the Government of the Republic of North Macedonia and submitted to parliamentary procedure. The draft-law contains provisions which fulfill the following indicators stipulated in the NAP:</p> <p>Defining the terms: gender, sex, gender-based violence, woman, victim, gender identity, sexual orientation; prohibition of discrimination on all grounds stipulated with the new Law on Prevention and Protection against Discrimination; Introducing measures aimed at eliminating GBV against vulnerable categories of women in line with the Convention (women members of ethnic communities, pregnant women, women with small children, single mothers, women with disabilities, rural women, women who abuse drugs, sexual workers, women under international protection and asylum seekers, women without citizenship, refugees, lesbians, bisexuals and transgender women, women living with HIV, homeless women, etc.); Guaranteeing the right of women to live free from violence both in public and private life; Establishing the obligation for mandatory training for professionals included in the process of protection of victims of GBV in the area of health, education, police, judiciary, social protection and other areas; Including the principle of due diligence of the interests and needs of the victims of violence in the design and implementation of all measures stipulated with the Law; Regulating the formation of a national body for GBV comprised of relevant institutions and organizations; Regulating the formation of comprehensive programs for strengthening victims of GBV; Establishing a legal obligation for conducting research of all forms of GBV, including domestic violence; Appointing a competent institution for collecting data in relation to GBV; Regulating the manner of collection and the type of data collected by competent institutions; Including other provisions aimed at harmonizing the Law with the Convention.</p>	

Amendments to the Law on Equal Opportunities for Women and Men	ONGOING (stipulated deadline for implementation: end of 2019)
<p>According to the information received from the Ministry of Labor and Social Policy, a working group for preparation of proposed amendments to the Law is formed which is holding meetings and works actively on the preparation of the proposed amendments. At the consultative meeting with civil society organizations, we were informed that there was disagreement within the working group on several key issues which need to be regulated with this Law, which slows down the process of finalizing the proposed amendments.</p>	
Amendments to the Criminal Code	ONGOING (stipulated deadline for implementation: end of 2019)
<p>A working group for preparing amendments to the Law is formed within the Ministry of Justice in which civil society organizations were not invited to participate, although cooperation with them is stipulated within the NAP for the implementation of the IC. Thus, CSOs have no opportunity to monitor the process and take part in drafting the legal text.</p> <p>Before the group was formed, the Criminal Code was reviewed and amended by a closed group formed within the Macedonian Academy of Sciences and Art and OSCE.</p> <p>According to the official information, the following amendments are part of the draft text of the proposed amendments to the Law:</p> <p>Definition of GBV; Harmonization of the elements of the criminal offence of rape with the Convention; Harmonization of the elements of the criminal offence of femicide in line with the UN standards; Criminalization of stalking in the context of domestic violence; Criminalization of stalking as a separate form of gender-based violence; Criminalization of sexual harassment as a separate form of gender-based violence; Criminalization of child marriage as a separate form of gender-based violence; Criminalization of genital mutilation as a separate form of gender-based violence; Regulation of stricter sanctions for the criminal offences in the name of honor; Regulation of the impunity of victims of human trafficking forced to commit a criminal offence; Amendments to the Article 39 with the grounds for discrimination – sexual orientation and gender identity.</p>	

Adoption of a Law on Indemnification of Victims of Crime	ONGOING (stipulated deadline for implementation: end of 2018)
<p>According to the information received from the Ministry of Justice, a working group was formed on adoption of the Law and its finalization within the Ministry. However, at the consultative meeting held with CSOs, it was stated that a key problem in the adoption of the law was securing funds for its implementation. Consultations with the Ministry of Finance are ongoing.</p>	
Amendments to the Law on Free Legal Aid	IMPLEMENTED
<p>The Law was adopted in May 2019. The new Law on Free Legal Aid provides for greater benefits and protection of citizens, i.e. less strict conditions for granting free legal aid. Moreover, free legal aid, with few exceptions, is stipulated in all legal areas, which increases the scope of vulnerable persons and ensures greater protection of citizens' rights. Additionally, the new Law prescribes those costs related to the procedure (for example, court fees, costs for expert evidence) will not be borne by citizens but will be covered with free legal aid. Financing of authorized authorizations that provide primary legal aid, through grants from the Ministry of Justice, is also stipulated in the Law. Regarding victims of gender-based violence and domestic violence, this Law recognizes the primary legal aid (Article 6 of the LFLA), as well as the secondary legal aid. According to Article 20 of the LFLA which provides for granting of secondary legal aid without establishing the financial situation, victims of domestic violence as seekers of this type of help or their close family members will be granted secondary legal aid without establishing their financial situation for initiation or representation in a procedure for issuing interim measures for protection of domestic violence before the competent court.</p>	

Amendments to the Law on Police	NOT IMPLEMENTED (stipulated deadline for implementation: June 2019)
<p>No working group for amendments to the Law was formed. This activity is not stipulated in the operational plans of the Ministry of Interior for 2019 and 2020, and no information was received from the Ministry upon the submitted request for access to public information.</p> <p>After consultations with representatives of Mol, they informed us that there are ongoing consultations with the MLSP regarding whether amendments to the Law on Police are necessary, because the new proposed law on prevention and protection from violence against women and domestic violence regulates the authorizations of police officers.</p>	
Adoption of the Law on Social Protection	PARTIALLY IMPLEMENTED
<p>A new Law on Social Protection was adopted in May 2019.</p> <p>The following indicators were fulfilled: stipulated prohibition of discrimination in accordance with the basis of the new Law on Prevention and Protection against Discrimination; regulated services for victims of all forms of GBV directly from the state institutions, ULSG and/or CSOs, including services for vulnerable categories of women (women members of ethnic communities, pregnant women, women with small children, single mothers, women with disabilities, rural women, women who abuse drugs, sexual workers, women under international protection and asylum seekers, women without citizenship, refugees, lesbians, bisexuals and transgender women, women living with HIV, homeless women, etc.); implemented new system for financing municipalities and CSOs for delivery of social services, including victims of GBV; established mechanism for licensing state and local institutions and civil society organizations for establishing services for vulnerable groups, including victims of GBV;</p> <p>The following indicators are partially fulfilled:</p> <ul style="list-style-type: none"> - Developed social protection services in the community (established at the state, local level and/or CSO level); - Developed methodology for establishing prices for social services (Rulebook) – developed for children at risk, the elderly, and persons with disabilities, but not for specialized services. <p>The following indicators are not fulfilled:</p> <p>Improved access to rights to financial assistance from social protection for victims of domestic violence (guaranteed minimum income, one-time financial assistance, protected housing).</p>	

Amendments to the Law on Local Self-Government	NOT IMPLEMENTED (stipulated deadline for implementation: 2019)
<p>Excerpt from the response of the Ministry of Local Self-Government: <i>“The Ministry of Local Self-Government is the responsible institution only for amendments to the Law on Local Self-Government regarding the competences in order to ensure legal conditions for establishing adequate institutions for care at the local level. The opinion of the MLSG to the MLSP state^{3d} that the Law on Local Self-Government is a systemic law that provides the basis, while the specific issue needs to be regulated with the substantial law that covers the area. Therefore, it was not necessary for the MLSG to develop an annual operational plan for implementation of the NAP for the Istanbul Convention.”</i></p>	
Amendments to the Law on Employment and Insurance in Case of Unemployment	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2021)
<p>According to the information from the Ministry of Labor and Social Policy, no working group was formed on amendments to the law, which is an indication that the process has not started yet.</p>	
Amendments to the Law on the Protection of Children	PARTIALLY IMPLEMENTED
<p>Adopted in May 2019. The grounds for discrimination are harmonized in accordance with the LPPD. The indicator that has not been fulfilled refers to the right to financial assistance when the child is a direct or indirect victim of domestic violence.</p>	

Amendments to the Law on Healthcare	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2018)
<p>A working group is formed on amendments to the Law in which civil society organizations are included. According to the information received from the representatives of the Ministry of Health, the indicators stipulated in the NAP are covered with the amendments.</p> <p>The proposed amendments are in a working draft and are not finalized yet, but there is no certainty that the indicators from the NAP will be fulfilled in the final text.</p>	
Amendments to the Law on Criminal Procedure	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2019)
<p>A working group formed on amendments to the Law which does not include CSOs. There is no available information on the course of the process and contacts established with representatives from the Ministry of Justice have not resulted in concrete information whether the stipulated harmonization with the NAP is included in the draft of the proposed amendments to the Law.</p>	
Amendments to the Law on Family	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2019)
<p>According to the information from the Ministry of Labor and Social Policy, a working group on amendments to the Law was formed in 2019, but no working meetings have been held.</p>	
Adoption of the Law on Termination of Pregnancy	IMPLEMENTED
<p>A new law was adopted on termination of pregnancy in May 2019. Provisions that limit access to legal and safe termination of pregnancy were revoked.</p>	

Amendments to the Law on the Protection of Patients' Rights	PARTIALLY IMPLEMENTED
<p>A law on amending the Law on the Protection of Patients' Rights was adopted in 2019. The grounds for discrimination were established in accordance with the Law on Prevention and Protection from Discrimination.</p> <p>No analysis has been conducted and no criteria has been determined for a healthcare worker to be able to report a case of GBV.</p> <p>According to the position of the Minister of Health, the analysis, and criteria for a healthcare worker to be able to report a case of GBV are subject to regulation.</p>	
Amendments to the Law on Misdemeanors against Public Order	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2019)
<p>No working groups was formed on amendments to the Law. This activity is not included in the operational plans of the Ministry of Justice and the Ministry of Interior because there is disagreement as to which institution is competent for its adoption.</p>	
Amendments to the Law on Higher Education	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2019)
<p>According to the information received from the Ministry of Education, no working group on amendments to the Law was formed.</p>	
Amendments to the Law on Textbooks in primary and secondary education	NOT IMPLEMENTED (stipulated deadline for implementation: end of 2019)
<p>According to the information received from the Ministry of Education, a working group on amendments to the Law was formed in October 2020.</p>	

Amendments to the Law on Primary Education	IMPLEMENTED
<p>The new Law on Primary Education⁸ was adopted in August 2019.</p> <p>The text of the new Law includes provisions that promote equality and prohibit discrimination in accordance with the grounds stipulated in the LPPD, provisions that prohibit use of teaching materials and aids that maintain negative stereotypes and prejudice in relation gender roles and that promote and/or support GBV.</p>	
Amendments to the Law on Secondary Education	ONGOING: stipulated deadline for implementation: June 2019)
<p>According to the information from the Ministry of Education, in October 2020, a working group on amendments to the Law was formed.</p>	
Amendments to the Law on Labor Relations	ONGOING: stipulated deadline for implementation: end of 2020)
<p>A working group on amendments to the Law was formed.</p> <p>According to the information from the Ministry of Labor and Social Policy, the draft text of the amendments includes provisions that obligate both parents to mandatory parental leave.</p> <p>However, according to the information from CSOs, the process of preparation of the Law is not in the final stage, so accordingly, it cannot be confirmed whether there has been an alignment of positions on this indicator withing the working group.</p>	

⁸ Official Gazette no. 161/2019 of 05.08.2020 [Official Gazette of RM](#)

Amendments to the Law on Media	NOT IMPLEMENTED: stipulated deadline for implementation: end of 2019)
<p>Excerpt from the Ministry of Information society and Administration: <i>“Amending the Law on Media has not started because this Law will be amended only upon an initiative or request by stakeholders from the media sphere. MISA provides room for debate, but the initiative for amending the Law will be made by the stakeholders from the area.”</i></p> <p>At the consultative meeting with representatives from CSOs, we were informed unofficially that initiative has been submitted by a journalist association, but no information was shared about the initiative (when it was submitted and what was the response of MISA).</p>	
Amendments to the Law on Audiovisual Services	IMPLEMENTED
<p>The Law is harmonized with the LPPD and includes provisions in cases of violation of the prohibition of hate speech and discrimination.</p>	
Amendments to the Court Rules of Procedure	NOT IMPLEMENTED: deadline for implementation: end of 2019)
<p>No working group on the amendments to the Court Rules of Procedure.</p> <p>According to the information received from the Ministry of Justice, the amendments to the Court Rules of Procedure will be implemented after the adoption of the Criminal Code and the Law on Prevention and Protection from Violence against Women and Domestic Violence.</p>	

<p>Inclusion of victims of GBV in the Program of the Ministry of Health for mothers and children and the Program for exemption from participation</p>	<p>PARTIALLY IMPLEMENTED</p>
<p>A program for active healthcare for mothers and children with special protection of women victims of sexual violence who do not have health insurance, i.e., free medical exams for women who are not included in the mandatory health insurance system and who have suffered sexual violence was adopted for 2019. (The following are specified as competent institutions University Clinic of Gynecology and Obstetrics, Clinical Hospital Tetovo, General Hospital Kumanovo). No free medical exams for uninsured women victims of other forms of gender-based violence have been foreseen.</p> <p>In the 2020 program for active healthcare of mothers and children, 1,500 denars are stipulated for supply of abortion medication and free exams form women who are not included in the mandatory health insurance system and who have suffered sexual violence No free medical exams for uninsured women victims of other forms of gender-based violence have been foreseen.</p> <p>In the 2019 program for participation in the use of healthcare services for certain illnesses and the healthcare of new mothers and babies, no exemption from participation is foreseen for women victims of gender-based violence for healthcare services related to the violence.</p> <p>The information is confirmed by the representatives of the Ministry of Health.</p>	
<p>Improvement of the policies and measures for economic strengthening of women-victims of violence</p>	<p>NOT IMPLEMENTED (deadline for implementation 2019-2020)</p>
<p>According to the response from the Ministry of Labor and Social Policy, this activity is continuously being implemented because the victims of domestic violence are included as target groups in the Operational Plans and active measures for 2019 and 2020.</p> <p>However, after the implementation of the desk-analysis of the Operational Plans for the last 5 years, it has been determined that since 2015 victims of domestic violence have been included in the employment measures, but they do not specifically recognize women victims of different forms of gender-based violence and no additional measures have been developed that need to be adapted to their specific needs.</p>	

Objective2: Establishment of services for promotion of the protection of victims gender-based violence and victims of domestic violence

Activities from the NAP	Findings from monitoring the implementation
Development of standards for provision of specialized services to victims of gender-based violence and standard operational procedures in accordance with the IC	ONGOING (stipulated deadline for implementation: June 2020)

According to the Ministry of Labor and Social Policy, draft-standards for specialized services for victims of gender-based violence and standard operational procedures have been developed.

CSOs are invited to be part of the process of finalizing the standards.

Standards and procedures for operation of referral centers for victims of sexual violence (72 hours). According to the information from the Ministry of Health, a Standard Operational Procedure (SOP) has been developed for provision of a comprehensive cross-sectoral response in the Referral Centers for victims of sexual violence.

However, the SOP was developed in 2018, before the adoption of the NAP for the implementation of the Istanbul Convention, and after its adoption consultations have been conducted on several occasions with CSOs and representatives from the Ministry of Health which have resulted in the conclusion that it needs to be revised.

IMPLEMENTED

His document was presented in June 2019 under the title “What are the Investments and Minimum Standards for Protection from Gender-Based and Domestic Violence?”

https://hera.org.mk/wp-content/uploads/2019/06/Policy-Brief_Investigacii-i-minimalni-standardi_RBN.pdf

<p>Analysis and recommendations for human and infrastructural resources needed for all specialized services for victims of GBV</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: 2018)</p>
<p>According to the response from the MLSP, in cooperation with UN WOMEN and the Macedonian Women’s Lobby (MWL), an assessment was made of the capacities of the Centers for Social Work in 2019. However, this activity stipulates assessment of human and infrastructural resources for specialized services for victims of gender-based violence, which is different from the assessment of the capacities of the Centers for Social Work.</p>	
<p>Trainings for providers of specialized services for victims of GBV</p>	<p>ONGOING (stipulated deadline for implementation of all activities: 2023)</p>
<p>According to the information received from the Ministry of Labor and Social Policy, the training modules have already been developed. To that end, external experts were engaged following an open call on the topic. Due to the situation with Covid 19, the trainers’ training has not yet been conducted.</p>	
<p>Equipment of soft rooms in order to avoid secondary victimization of victims of GBV accessible for persons with disabilities</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: first half of 2019/ first half of 2023)</p>
<p>According to the information received from the Ministry of Interior: “a cross-sectoral working group has been formed, a report with proposed facilities in Mol and MLSP appropriate for equipment of soft rooms where interviews with victims of gender-based violence has been developed and submitted.” Apart from the prepared and submitted report, until October 2020, no soft room has been equipped, i.e., the indicator stipulated with the NAP has not been fulfilled – number of equipped facilities in institutions in order to avoid secondary victimization of victims of gender-based violence accessible for persons with disabilities.</p>	

Establishment of Centers for Victims of Domestic Violence (shelters) in accordance with the standards of the Convention	PARTIALLY IMPLEMENTED (stipulated deadline for implementation: first half of 2019/ first half of 2023)
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According to the information received from the Ministry of Labor and Social Policy, the 4 existing centers have been renovated and 2 new centers have been opened in 2019 (Veles and Ohrid) managed by the Centers for Social Work.

The National Network to End Violence against Women and Domestic Violence requested a visit to the Centers to check the compliance with the standards, but as at the time of writing this report no response has been received from the Ministry of Labor and Social Policy.

Establishment of Crisis Centers for Victims of Sexual Violence (up to 72 hours)	IMPLEMENTED
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Three Centers for referral of victims of sexual violence have been established (USGO Skopje, GH Tetovo and GH Kumanovo). The Centers were opened in July 2018 before the adoption of the NAP. During the past two years no new centers for victims of sexual violence have been opened.

Establishment of a Center for Victims of Sexual Violence (shelter)	PARTIALLY IMPLEMENTED
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According to the information from the Ministry of Labor and Social Policy, this Center was established within the Center for Human Trafficking, managed by a CSO.

However, these two vulnerable categories have different specifics and cannot be placed together in the same facility. According to the recommendations from the Istanbul Convention, a separate center is needed where a special program for overcoming the consequences of sexual violence will be implemented.

Establishment of Counselling Centers for Victims of Domestic Violence	PARTIALLY IMPLEMENTED
<p>According to the information received from the Ministry of Labor and Social Policy, one Center managed by a CSO has been established in Skopje and 7 Centers in Tetovo, Prilep, Bitola, Ohrid, Kavadarci, Shtip and Kumanovo, managed by the Centers for Social Work.</p> <p>The established Counselling Centers do not fulfill the indicator from the NAP which also stipulates provision of legal aid within the counseling center.</p> <p>Additionally, the response from the Ministry of Labor and Social Policy does not contain information on the number of professional workers engaged in the centers.</p> <p>As regards the establishment of new counselling centers for perpetrators, the indicators have not been fulfilled.</p>	
Establishment of Crisis Centers for Victims of Domestic Violence	PARTIALLY IMPLEMENTED
<p>According to the information from the Ministry of Labor and Social Policy, two crisis centers have been opened (Prilep and Shtip). No official response was received whether the opened crisis centers are not adapted to the needs of women members of the ethnic communities, pregnant women, women with small children, single mothers, women with disabilities, rural women, women who abuse drugs, sexual workers, women under international protection and asylum seekers, migrants, women without citizenship, refugees, lesbians, bisexuals and transgender women, women living with HIV, homeless women and other vulnerable categories of women.</p> <p>Additionally, no official response has been received on the number of beds and the compliance with the standards for their operation.</p>	

<p>Preparation of a cost analysis for specialized services for domestic violence: S.O.S. Line, shelter, crisis center, psychosocial support for victims, psychosocial support for perpetrators, legal aid, crisis center (up to 72 hours)</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: end of 2019)</p>
<p>No specific response has been received from the Ministry of Labor and Social Policy about the process of implementation of this activity.</p>	
<p>Preparation of handbooks for action taken by professional workers in different areas (social protection, healthcare, police, courts, prosecution, education, etc.) in accordance with the Convention</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: 2019)</p>
<p>According to the information from the Ministry of Labor and Social Policy, the implementation of this activity has been postponed until 2021.</p>	

Objective 3: Prevention of Gender-Based and Domestic Violence

Activities from the NAP	Findings from monitoring the implementation
<p>Conducting general trainings for GBV for: teachers and professional associates in primary and secondary schools, caregivers, professionals from the CSW, healthcare workers, judges and public prosecutors, court experts, representative of the regional offices for free legal aid and of the local bodies for equal opportunities of the ULSG, the responsible persons for social protection within the ULSG.</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation of all activities: second half of 2019/ first half of 2023)</p>

According to the information received from the Ministry of Labor and Social Policy, the preparation of the modules for different professionals has been postponed until 2021.

The response from the Mol to the submitted request for access to public information: "Trainings for trainers on "Modules for Training for Professionals on Gender-Sensitive Provision of Services to Victims" are planned. During 2019, 967 officers were trained (118 women and 849) men. Additionally, during 2019, a total of 1362 employees in the Bureau for Public Safety within the Mol (212 women and 1150 men) were trained on gender issues, gender-sensitive services and non-discrimination. Regarding conducting of trainings for candidates for police officers, the curriculum for basic training of candidates for police officers contains programs on hate crime, human rights, anti-discrimination, and gender-sensitive services for support of violence survivors."

However, the training within the Ministry of Interior have not been conducted in accordance with the modules that were to be prepared by the Ministry of Labor and Social Policy in cooperation with the Ministry of Education.

<p>Conducting campaigns for raising awareness on all forms of gender-based violence, promoting gender equality and eliminating stereotypes for gender roles and the consequences on children who have witnessed violence</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: second half 2018/second half of 2023)</p>
<p>According to the response from the Ministry of Labor and Social Policy, the campaigns planned as an activity in the NAP will be conducted on the occasion of 16 days of activism. However, the activity is planned as continuous campaigns for raising the awareness on gender gender-based violence, promoting gender equality and eliminating stereotypes for gender roles and the consequences on children who have witnessed violence. The campaigns that are conducted during 16 days of activism are normally thematic and cover specific aspects of gender-based violence. Moreover, they are not enough to ensure continuity in the fulfilment of the objectives.</p>	
<p>Preparation of informative materials (posters and leaflets) on the available services for victims of GBV</p>	<p>PARTIALLY IMPLEMENTED (stipulate deadline for implementation: first half of 2020/ first half of 2023)</p>
<p>During the state of emergency as a result of COVID 19, the MLSP prepared an informative video and leaflets on the types of violence and the services managed by the MLSP, including the manner of reporting. The materials are not adapted to all types of disability – there are no materials in braille and in the languages of the ethnic communities (the leaflets have been prepared only in the Albanian language).</p>	

<p>Implementation of a strategic objective for prevention and protection from all forms of violence against women and domestic violence in the existing and future strategic documents of the ULSG</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: first half of 2019/first half of 2023)</p>
<p>The units of local self-government and the Ministry of Local Self-Government have no Operational Plans in accordance with the National Action Plan. The desk analysis has collected the following information: of the total of 80 municipalities, only 6 have a strategic objective for gender-based violence within documents on gender-equality (Strategy on Gender-Equality, Action Plan on Gender-Equality). Additionally, the City of Skopje as a separate unit has prepared a Strategy on Gender-Equality, but only until 2015. No new strategy has been prepared.</p>	
<p>Publication of information on safety measures, advice on prevention and results of local advice on prevention and other useful information about prevention of GBV on the Mol website</p>	<p>NOT IMPLEMENTED (stipulated deadline for implementation: second half of 2018/ first half of 2023)</p>
<p>According to the response of the Ministry of Interior, the website of the Mol has a separate section “gender equality” which includes the activities taken within the Ministry on raising awareness on gender equality.</p> <p>However, until October 2020, no specific information on safety measures and advice on prevention of gender-based violence intended for the public have been published on the website. The only available information is related to the adopted laws and strategic documents from the area of gender-based violence.</p>	
<p>Monitoring the situation with GBV in Macedonia, including the specifics of marginalized communities</p>	<p>NOT IMPLEMENTED (first half of 2020)</p>
<p>This activity is within the competence of the National Coordination Body that should be formed with the adoption of the Law on Prevention and Protection from Violence against Women and Domestic Violence, which at the moment of writing of this report is in parliamentary procedure.</p>	

<p>Improvement of curricula in primary and secondary schools through revision and removal of content with negative stereotypes and prejudice regarding gender roles, sexuality and which promote and/or support GBV</p>	<p>NOT IMPLEMENTED (first half of 2019)</p>
<p>According to the information received from the Ministry of Education and Science, working groups for preparing the concept for primary and secondary education curricula were formed in September/October 2020. The concept will serve as the basis for the development of new curricula and programs. Additionally, in accordance with the Ministry of Education and Science: "Reform in primary education will start in September 2021."</p>	
<p>Implementation of a program for promotion of gender-equality, non-violent conflict resolution and respect of the differences in pre-school institutions</p>	<p>NOT IMPLEMENTED (first half of 2019)</p>
<p>According to the information from the Ministry of Labor and Social Policy, the program for gender-based violence in kindergartens is included in the new Law on Prevention and Protection from Violence against Women and Domestic Violence. After its adoption, according to the MLSP, this activity will be realized in cooperation with the Ministry of Education.</p> <p>However, the implementation of the activity is a separate process from the adoption of the law and the basis and obligations it stipulates. Moreover, this activity is part of the National Strategy for Gender Equality (2013-2020).</p> <p>No specific measures have been undertaken for stimulating publication of picture-books, videos and other similar educational materials that promote gender equality, differences and human rights, and no trainings and workshops have been conducted with kindergarten teachers and caregivers.</p>	

CONCLUDING REMARKS AND RECOMMENDATIONS

The global pandemic, which also struck our country, brought to the surface all the shortcomings of the system and further emphasized them. With that, the consequences for the victims of gender-based violence have become more severe and cruel. The reduced capacity of the institutions, the insufficient training for the implementation of the existing legislation, the unpreparedness to respond to gender-based violence in crisis conditions, affected the prevention and protection that the institutions provide to victims. On the other hand, civil society organizations invested all their potential to offer the victims adequate help and support in conditions of a health crisis.

The process of collecting data for the preparation of this report showed that the institutions responsible for the implementation of the NAP are not transparent enough in the implementation of the activities - **not all ministries include civil society organizations** in the implementation of the activities, although the NAP stipulates an obligation for their inclusion. In addition, the responses that were received from the ministries were incomplete, that is, for the most part general and imprecise, so additional efforts were needed to provide accurate, specific and essential information about the course of activities and the content of their implementation.

The responses of the competent institutions for the implementation of the National Action Plan for the implementation of the Istanbul Convention led to the **general impression that harmonization with the standards of the Convention is not a priority issue for the state, especially not in crisis conditions**. Some institutions have not prepared an OP at all or had one prepared only for 2019 (besides the Ministry of Internal Affairs and the Ministry of Health, no other ministry has prepared and publicly announced an Operational Plan for the implementation of the NAP for IC for 2020), and most of them have not published it publicly on their website, which means that citizens have no insight into the progress and commitments of the state to ensure protection from violence and thus have no opportunity to call for accountability.

Worryingly weak implementation is observed of the activities aimed at prevention of violence against women and domestic violence (OBJECTIVE 3 of NAP), i.e. lack of implemented campaigns for raising public awareness, updating the teaching contents used in the educational process, as well as implementing trainings for professionals who act and provide services in providing protection, assistance and support to victims of gender-based violence and their children.

In addition, it is necessary in the operational plans of the competent ministries/institutions to provide a budget for the implementation of the activities because the mentioned sources of funding provide only the basis, but do not show a specific budget for the implementation of the activities for prevention and protection against gender-based violence. It is necessary that the budget be separate and clearly visible in the overall budget of the specific ministry/institution in order to enable monitoring of the costs related to the implementation of the activities provided for in the NAP.

Some of the activities foreseen in the National Action Plan do not depend on the crisis situation because the deadline for their implementation ended much before the beginning of the crisis (during 2018 and 2019), and they have not yet been implemented (some of them have not even been started). For the rest of the activities that are scheduled to be completed by the end of 2020, **it is necessary to revise the overall national plan and to propose deadlines for implementation that will correspond to the actual situation. In addition, according to the revised national plan, the competent institutions should prepare operational plans for 2021.**

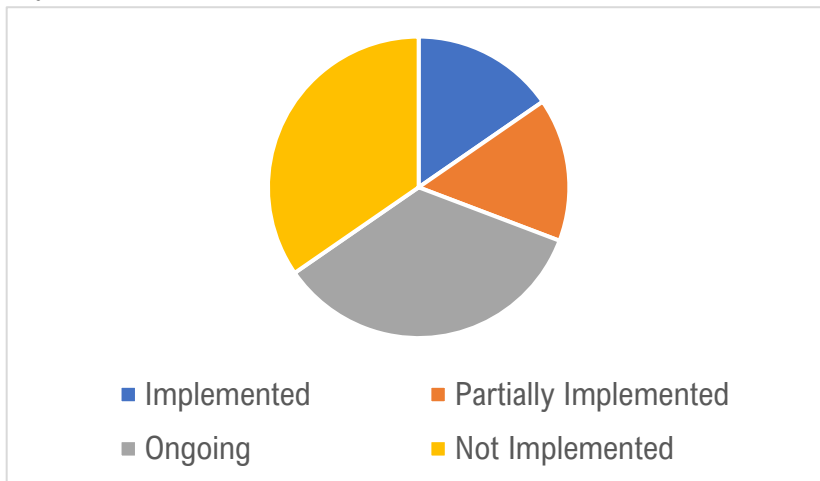
The revision of the national action plan should be carried out through a consultative process that will involve all stakeholders in order to propose new deadlines and to revise the activities that in the meantime have been found to fall under the competence of another body or are no longer relevant for implementation.

Finally, **the establishment of a mechanism for monitoring the**

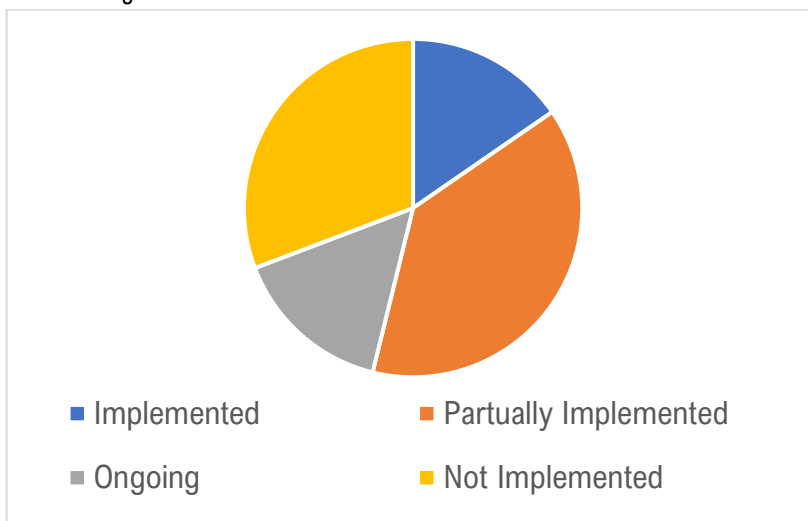
implementation of the NAP (establishment of a special body for monitoring the implementation) is of key importance for the advancement of the system of prevention and protection against gender-based violence. The preparation and presentation of quarterly or semi-annual reports on the progress in the implementation of the activities, for each ministry/institution separately, will enable simpler monitoring and timely reaction if challenges arise during the implementation of some of the activities.

Graphic representation of the implementation of the National Action Plan for the implementation of the Istanbul Convention according to the 3 objectives in the plan

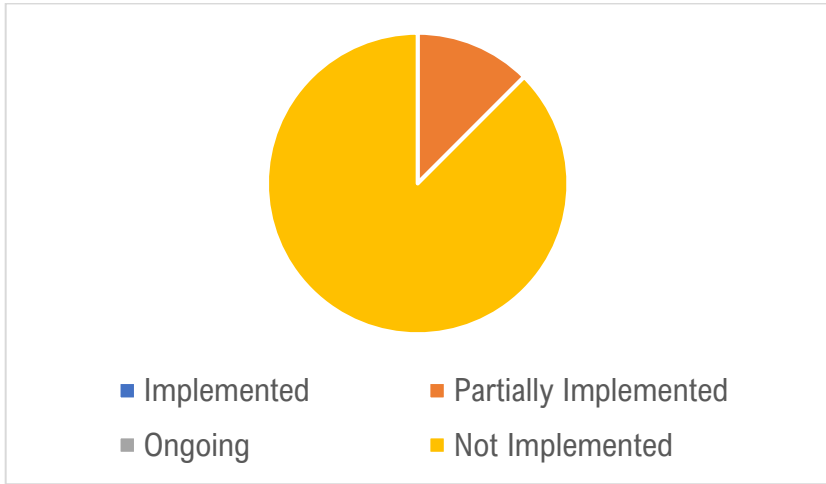
Objective.1 Harmonization of national law with the provisions of the Convention



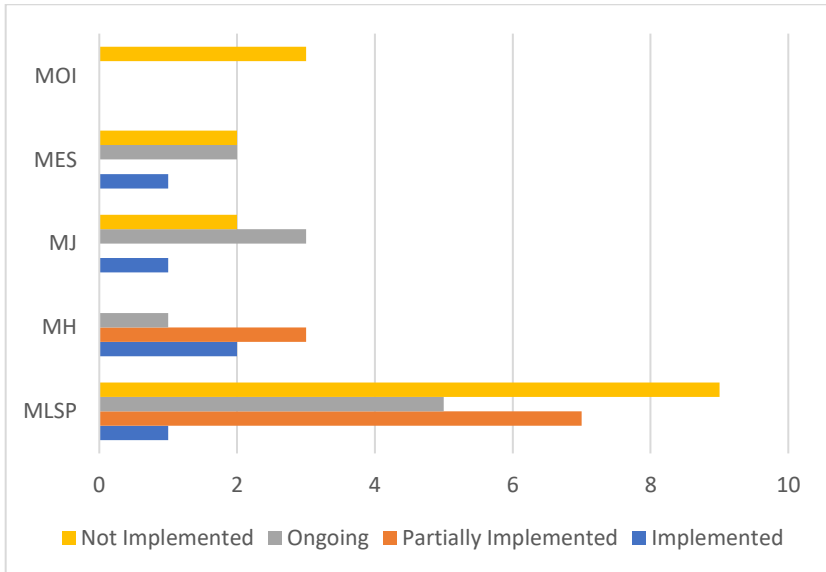
Objective 2. Establishment of services for improving the protection of victims of gender-based violence and the victims of domestic violence



Objective 3. Prevention of gender-based violence and domestic violence



Graphic representation of the implementation of the National Action Plan for the implementation of the Istanbul Convention divided by competent ministries



WHY IS IT NECESSARY TO REVISE THE NATIONAL ACTION PLAN (2018-2023)?

Out of a total of 46 activities defined in such a way that their implementation contributes to the achievement of one of the three objectives of the NAP, only 6 have been fully implemented. The fully implemented activities mostly refer to changes in legal solutions - Objective 1 (4 laws are harmonized with the recommendations of the Istanbul Convention), while no activity has been implemented from Objective 3 - Prevention.

There are 11 activities that have been started and are in different stages of implementation, and again, for the most part, they refer to amendments to existing laws.

The implementation of as many as 20 activities out of the planned 46 has not even started yet, although the deadline for implementation was until the end of 2019, that is, before the beginning of the health crisis.

Some of the activities, a total of 9, for which an answer was received that they were completed, have actually only been partially implemented. Namely, in relation to the Law on Social Protection and the amendments that were adopted in 2019, the indicator from the NAP for improving access to financial assistance for victims of domestic violence was not fulfilled. The amount of financial assistance for this category remains the same as in the previous law.⁹ The social reform, which in addition to this law also included the Law on the Protection of the Child, does not regulate the right to an allowance in the event when a child is a direct or

⁹ The gender aspect and victims of gender-based and family violence in the Law on Social Protection of the Republic of North Macedonia, available at the following [link](#)

indirect victim of domestic violence¹⁰. Two more legal decisions/programs have undergone changes in the last two years (law on protection of patients' rights and Program for mothers and children and Program for exemption from participation), but the changes did not fulfill the indicators provided for in the NAP.

Regarding the set indicators, it is important to note that they are quantitative and do not monitor the quality of activity implementation. This specifically refers to the aspects of protection and prevention. As an illustration, in Objective 2 - Protection, activity - Establishment of counseling centers for victims of domestic violence, the set indicator reads: Ten counseling centers have been established for psychosocial support of victims of domestic violence, perpetrators of domestic violence and children. This indicator not only does not reflect the quality of the established service, in terms of meeting technical standards and hiring an appropriate team of professionals who will provide the service but is also incorrectly formulated. Namely, the perpetrators of domestic violence and the service of psychosocial treatment of perpetrators is not part of the system of protection of victims of domestic violence but is part of the prevention of domestic violence.

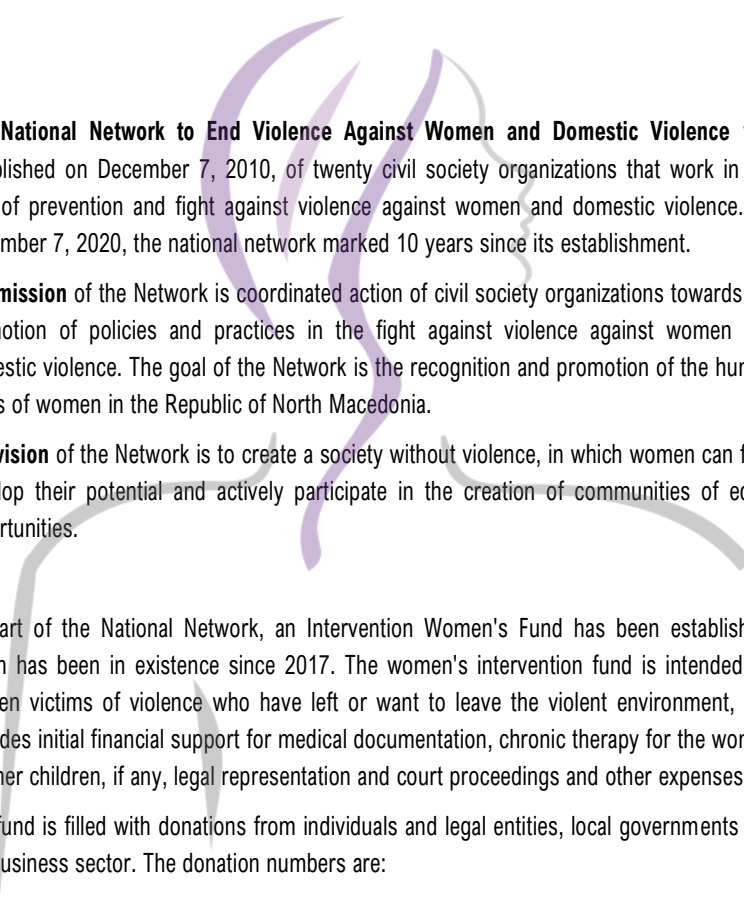
In some of the activities from Objective 1 – Laws, there are missing indicators for all the changes that should be made. Namely, the Law on Family provides an indicator for a provision that will regulate the granting of custody of children in families where there is domestic violence, that is, the same will be taken into account when making the decision to grant custody to one of the parents. However, there are no changes to the provisions for visitations of children by the perpetrator of violence. Indicators related to specific changes that need to be made for a certain law to be compliant with the provisions of the Istanbul Convention are also missing in other laws, such as Law on Misdemeanors against the Public Order, the Law on Employment and Insurance in Case of Unemployment, the Law on Labor Relations, etc.

Finally, as part of prevention, in the introduction of the NAP, an increase in the role of the Ombudsman in monitoring femicides - murders of women, i.e. the establishment of a femicide watch mechanism, which is completely omitted

¹⁰ Law on the Protection of the Child, available on this [link](#)

as a separate activity in the NAP, is foreseen.

In the direction of more successful monitoring of the implementation of the NAP activities in the next three years, it is necessary to revise the deadlines for implementation and set new ones, as well as to revise the activities with a focus on the indicators. The latter includes the addition of new activities, which were missed during the preparation of the first plan. As a second step, it is necessary to develop a plan for monitoring the implementation of the NAP, which will include the preparation of regular reports from the relevant institutions on the status of each of the activities (the most optimal would be quarterly) in their competence, and the means for verification of the implementation of the activity will be provided, through which the quality of the implemented activity can be monitored. As the third and most important step, is the establishment of a body for monitoring the implementation of the NAP, which will cooperate with the competent institutions in connection with the planning and implementation of the activities, and on a regular basis will prepare and send notifications to the Government about the implementation process.



The National Network to End Violence Against Women and Domestic Violence was established on December 7, 2010, of twenty civil society organizations that work in the field of prevention and fight against violence against women and domestic violence. On December 7, 2020, the national network marked 10 years since its establishment.

The mission of the Network is coordinated action of civil society organizations towards the promotion of policies and practices in the fight against violence against women and domestic violence. The goal of the Network is the recognition and promotion of the human rights of women in the Republic of North Macedonia.

The vision of the Network is to create a society without violence, in which women can fully develop their potential and actively participate in the creation of communities of equal opportunities.

As part of the National Network, an Intervention Women's Fund has been established, which has been in existence since 2017. The women's intervention fund is intended for women victims of violence who have left or want to leave the violent environment, and provides initial financial support for medical documentation, chronic therapy for the woman and her children, if any, legal representation and court proceedings and other expenses.

The fund is filled with donations from individuals and legal entities, local governments and the business sector. The donation numbers are:

A1 – 143 477

Telecom – 143 300

Bank account: 200003247799194 – Stopanska Banka AD Skopje