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ASSEMBLY OF THE REPUBLIC OF NORTH MACEDONIA

Pursuant to Article 75, paragraphs 1 and 2 of the Constitution of the Republic of North Macedonia, the President of the Republic of North Macedonia and the President of the Assembly of the Republic of North Macedonia herewith issue this

DECREE

ON THE PROCLAMATION OF THE LAW ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

The Law on Prevention and Protection from Violence against Women and Domestic Violence is herewith promulgated

as passed by the Assembly of the Republic of North Macedonia at the session held on

January 27, 2021.

No. 08-524/1 President of the Republic of North

January 2, 2021 Macedonia

Skopje Stevo Pendarovski,

President of the

Assembly of the Republic of
North Macedonia
Talat Xhaferi

LAW

ON PREVENTION AND PROTECTION FROM VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

1. GENERAL PROVISIONS

Subject matter of the Law

Article 1

This Law shall regulate the actions of the institutions with due attention in taking measures for the prevention of gender-based violence against women and domestic violence, the actions of the institutions for the protection of women from gender-based violence and domestic violence, mutual coordination of institutions and organizations, services for the protection of victims and the collection of data on gender-based violence against women and domestic violence.

Purpose of the Law

Article 2

The purpose of this Law is the combatting and prevention of gender-based violence against women and domestic violence, effective protection of victims from any form of gender-based violence against women and victims of domestic violence with full respect of basic human freedoms and rights guaranteed by the Constitution of the Republic of North Macedonia and the international agreements ratified in accordance with the Constitution of the Republic of North Macedonia (hereinafter: the ratified international treaties). The purpose of this Law is based on the principle of equality and elimination of stereotypes about gender roles.

Glossary

Article 3

Certain terms used in this Law shall have the following meaning:

1. **"Violence against women"** is a violation of human rights, discrimination against women and denotes all acts of gender-based violence that result in, or are likely to result in physical, sexual, mental or economic harm or suffering of women, including direct and indirect intimidation and threats of such acts, coercion, arbitrary restriction and/or deprivation of liberty, whether occurring in public or private life.
2. **"Gender-based violence against women"** is violence directed against a woman because she is a woman or that affects women disproportionately. Gender-based violence against women entails the causes and effects of imbalance of power between women and men as a result of a social and not an individual problem. Gender-based violence against women also refers to violence against women defined in points 1) and 3) of this Article;
3. **"Domestic violence"** is abuse, insults, threat to safety, bodily injury, sexual or other psychological, physical or economic violence which causes a feeling of insecurity, threat or fear, including threats of such acts, against a spouse, parents or children or other persons who live in a marriage or an extramarital union or joint household, as well as current or former spouse or common-law partner or persons who have a common child or are in a close personal relationship, regardless of whether the perpetrator shares or has shared the same residence with the victim or not;
4. **"Close personal relationships"** are personal relationships between persons who are or were in a partnership, regardless of whether or not the perpetrator shares or has shared the same residence with the victim;
5. **"Intimate partner violence"** is current or former conduct of a spouse or partner that causes physical, sexual, psychological, or economic violence;
6. **"Sex"** means the physical characteristics of an individual (reproductive system, chromosomes, hormones) according to which the sex of individuals is assigned as determined at birth, based on a combination of physical characteristics and internal reproductive organs;
7. **"Gender"** means socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men;
8. **"Transgender person"** is a person whose gender does not identify with the gender determined under birth;
9. **"Victim"** is any natural person who is exposed to violence referred to in point 1), 2), 3) and 5) of this Article, on the territory of the Republic of North Macedonia.
10. **"Perpetrator"** is any natural or legal person who has committed or failed to commit any of the act specified in points 1), 2), 3) and 5 of this Article;
11. "**Woman"** includes girls under the age of 18;
12. **"Non-refoulement"** is a principle on the basis of which the state undertakes not to expel or in any way return women and children seeking asylum, persons with refugee status or persons under subsidiary protection to the borders of the state in which there exists an immediate danger to life and body from violence against women or domestic violence, or if their freedom would be in danger because of their race, religion, nationality, membership of a particular social group or political belief or where they would be subjected to torture, inhuman or degrading treatment or punishment;
13. "Child" is any person under the age of 18;
14. "Physical violence" is any act of applying physical force or an act that damages the health and physical and mental integrity of the victim;
15. "Psychological violence" is any conduct using coercion, intimidation or threat, which causes a feeling of fear, threat, distress or harm to the dignity and psychological integrity of the victim;
16. "Stalking" is any intentional behaviour of repeated threats directed at another person that causes the person to fear for their safety;
17. "Economic violence" is any act of restriction or prevention in realization and/or disposal with personal income and financial assets, for maintaining the joint household and for the care of the child, which causes economic dependence of the victim;
18. "Sexual violence and rape" is any act of sexual nature, with any body part or object, on the body of another person without his/her consent. Sexual violence also exists when another person is led or forced to engage in acts of sexual nature with a third person without his/her consent. Consent must be expressed voluntarily as a result of the person's free will, assessed in the context of the circumstances;
19. "Sexual harassment" is any verbal, non-verbal or physical behavior of a sexual nature that has the purpose or effect of violating a person's dignity, especially when creating a threatening, hostile, degrading, humiliating or offensive environment;
20. "Sexual harassment on the Internet" is any verbal, non-verbal or other conduct of sexual nature, which has as its aim or consequence, violation of dignity or creating a threatening, hostile, humiliating or intimidating environment, approach or practice, through electronic means of communication;
21. "Forced marriage" is coercion, enticement, deception, threat or otherwise forcing an adult or a child to enter into marriage or extramarital union;
22. "Female genital mutilation" is the cutting, infibulation or any other mutilation in whole or in part of the outer folds of the skin (labia majora), inner folds of the skin (labia minora) or the woman's clitoris;
23. "Forced abortion and forced sterilization" is the termination of a pregnancy on a woman without prior information and written consent, as well as performing an operation on a woman without informing her beforehand and without her written consent, or without her understanding the procedure whose purpose or consequence is to terminate her ability to reproduce naturally;
24. "Trafficking in women" is an act by which, through force, serious threat, the victim is misled, or other forms of coercion, abduction, fraud, by abusing her position or the state of pregnancy, impotence or physical or mental incapacity of another or by giving or receiving money or another benefit for the purpose of obtaining the consent of a person who has control of another person or otherwise recruits, transports, transfers, buys, sells, harbours or accepts persons for the purpose of exploitation through prostitution or other forms of sexual exploitation, pornography, forced work or servitude, slavery, forced marriage, forced pregnancy, illegal adoption or a similar relationship, begging or exploitation for the purpose of an activity prohibited by law or illegal transplantation of parts of the human body and

25) "**Coercive control over women**" is the abuse of power, the use of threats, force or other forms of coercion, deception or misrepresentation in order to control the behaviour and life of women.

Due Attention

Article 4

1. State government bodies, legal entities exercising public powers established by law, officials, officers and other authorized persons performing tasks on behalf of the state have an obligation to refrain from participating in acts of violence and to take all measures and activities to prevent any act of gender-based violence against women and domestic violence.
2. Entities mentioned in paragraph (1) of this Article shall have the obligation to take all appropriate legislative, administrative, judicial and other measures to prevent, protect, investigate, punish and provide fair compensation to the victims or restitution for acts of violence committed by natural or legal persons.
3. Officials in the institutions that perform activities in the field of social protection, internal affairs, health, child protection and education, as well as competent courts and prosecutor's offices in proceedings for gender-based violence against women and domestic violence shall act urgently, with due attention to the interests and needs of the victim.
4. BASIC PRINCIPLE
Non- discrimination

Article 5

1. Gender-based violence against women is discrimination against women that restricts them from enjoying rights and freedoms on an equal basis with men.
2. The measures, activities and services specified in this Law are undertaken with the aim of implementing the principle of equality, eliminating stereotypes about gender roles, prevention

and protection from all forms of discrimination against women victims of gender-based violence and victims of domestic violence.

1. Measures, activities and services for the prevention and protection of women from gender-based violence and victims of domestic violence shall be implemented without discrimination based on race, skin colour, national or ethnic origin affiliation, sex, gender, sexual orientation, gender identity, belonging to a marginalized group, language, citizenship, social origin, education, religion or religious belief, political belief, other belief, disability, age, family or marital status, property status, health status, personal characteristics and social status or any other basis.
2. Measures, activities and services specified in this Law which are undertaken to prevent and protect women from gender-based violence and domestic violence are not considered discrimination.

**Prohibition of Victimization**

Article 6

Any action taken with the purpose of intentionally or unintentionally punishing or putting in a disadvantageous position a person who took actions for protection against gender-based violence and domestic violence, or if that person reported violence, initiated a procedure for protection against gender-based violence, and domestic violence, testified during the procedure or otherwise participated in a procedure for protection against gender-based violence and domestic violence shall be prohibited.

Vulnerable Women

Article 7

Entities specified in Articles 11 and 24 of this Law shall, when taking measures and activities, take into account the consequences that gender-based violence has on vulnerable categories of women, especially pregnant women, women with children and children with disabilities, single mothers, women with disabilities, women from rural areas, women who use drugs, sex workers, migrants, refugees, asylum seekers, stateless women, lesbians, bisexual and transgender people, women living with HIV, homeless women, women victims of human trafficking, older women, materially unsecured women and others.

Adequate Adjustment

Article 8

Measures, activities and services for victims of gender-based violence against women and domestic violence should be properly adapted to the specific needs of women with disabilities.

Principle of Gender Responsive Policies

Article 9

1. Measures, activities and services for the prevention and protection of women from gender-based violence and domestic violence should be gender-responsive and recognize the characteristics and differences arising from the gender roles of women and men so much so that the results of measures, activities and services will contribute to gender equality.
2. Gender-responsive policies shall include the gender perspective as a criterion that is integrated in all phases of the policy-making process, assessment of situations, implementation and evaluation of policies arising from this Law.

**Principle of Empowerment of Women who Suffer Violence**

Article 10

1. Measures, activities and services for the prevention and protection of women from gender-based violence and from domestic violence shall be provided in such way that enables strengthening of the potential and capacities of the victim for independent organization of her life and self-help in the future.
2. The victim has the right to participate in the assessment of her condition and needs, be informed about protection measures, activities and services and participate in the choice of services and measures for her help, support and protection.
3. Without the consent of the victim or her legal representative, protection measures, activities and services cannot be undertaken save when there is an immediate danger to her life and body.
4. COMPETENT INSTITUTIONS AND INTEGRATED POLICIES

Authority to Enforce the Law

Article 11

1. All bodies of the state administration, the courts, the public prosecutor's office, local self-government units and legal entities that exercise public powers established by law shall have the power to enforce the law.
2. The entities mentioned in paragraph (1) of this Article shall ensure that matters under their competence be performed by experts who trained to implement the matters specified in this Law.

**Institutional and Multisectoral Cooperation**

Article 12

1. Entities specified in Article 11 of this Law shall cooperate with each other for achieving the goals of this Law by drawing up a protocol for mutual cooperation.
2. Local self-government units with institutions and associations shall prepare a protocol for mutual cooperation to take measures to prevent, combat, and protect from gender- based violence against women and family violence in the local community.

The Assembly of the Republic of North Macedonia

Article 13

1. The Assembly of the Republic of North Macedonia, on a proposal of the Government of the Republic of North Macedonia, shall adopt a National Strategy for Prevention and Protection from Gender-based violence against women and domestic violence (hereinafter: the Strategy).
2. The strategy shall be adopted for a period of eight years and implemented over two national action plans with four years duration each and annual operational plans at the level of competent institutions.
3. The Assembly shall monitor the implementation of the Strategy and the spending of funds from the Budget as per the annual operational plans through the annual report prepared by the National Coordinating Body mentioned in Article 15 of this Law.

The Government of the Republic of North Macedonia

Article 14

The Government of the Republic of North Macedonia (hereinafter: the Government), shall undertake measures and activities within its remit for the prevention and protection of gender-based violence against women and domestic violence through the inclusion of the principle of equality and elimination of stereotypes about gender roles in bills and other regulations, organization and financing of national awareness raising campaigns addressing all forms of gender-based violence against women and domestic violence, and other miscellaneous activities.

National Coordinating Body for the Implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

Article 15

1. The Government shall establish a National Coordinating Body for the implementation of The Convention of the Council of Europe on preventing and combating violence against women and domestic violence (hereinafter: National Coordinating Body), with a five years term of office.
2. The National Coordinating Body from paragraph (1) of this Article shall be composed of one representative from the General Secretariat of the Government, three managerial officers from the Ministry of Labour and Social Policy, one member and deputy member from the Ministry of Health, one member and deputy member from the Ministry of Justice, one member and deputy member from the Ministry of Education and Science, one member and deputy member from the Ministry of Internal affairs, judges and public prosecutors, one representative of the local self-government units and one representative of associations, unions and employers' associations, one representative from the Commission for Equal Opportunities for Women and Men and from the Club of female MPs of the Assembly of the Republic of North Macedonia.
3. The Judicial Council of the Republic of North Macedonia shall nominate the representative of the judges as a member of the National Coordinating Body.
4. The Council of Public Prosecutors of the Republic of North Macedonia shall nominate the representative of public prosecutors as a member of the National Coordinating Body.
5. The Union of local self-government units shall nominate the representative of the units of local self-government as a member of the National Coordinating Body.
6. The Government shall publish a public call for the election of three members of the National Coordination Committee body from the ranks of associations, which should have at least five years of experience working in the area of ​​violence against women and domestic violence.
7. The method of operation of the National Coordinating Body is governed by the rules of procedure.
8. The National Coordinating Body shall be chaired by the Minister of Labour and Social Policy.
9. Administrative-professional work for the needs of the National Coordination body shall be carried out by the Ministry of Labour and Social Policy.

Scope of Work of the National Coordinating Body

Article 16

The National Coordinating Body shall perform the following tasks:

1) prepare and monitor the implementation of the Strategy;

2) prepare and monitor the National Action Plans;

3) coordinate the work of the institutions in the area of ​​prevention and protection from gender-based violence against women and domestic violence;

4) monitor the implementation of the Convention of the Council of Europe on prevention and combatting violence against women and domestic violence and national policies in the area of ​​gender-based violence against women and domestic violence;

5) monitor and analyse the situation with gender-based violence against women and domestic violence;

6) monitor and the plan and spend financial resources allocated to the bodies of Articles 11 and 24 of this Law;

7) give opinions and recommendations for improvement of policies and adoption of measures and activities in the field of gender-based violence against women and domestic violence;

8) monitor the implementation of the recommendations by international and regional bodies for gender-based violence against women and domestic violence and propose activities and measures for their implementation;

9) promote the principle of equality and elimination of gender stereotypes and roles;

10) provide an opinion on the methodology for integrated data collection on gender-based violence against women and domestic violence generated by all relevant institutions and organizations competent to implement this Law;

11) provide an opinion on the programs for initial and continuous education of professionals persons providing specialized services to women victims of gender-based violence and victims of domestic violence at the request of the Ministry of Labour and Social Policy;

12) coordinate and monitor the collection of data on gender-based violence against women and domestic violence on the basis of predetermined indicators and

13) submit an annual report on the activities undertaken and the progress achieved as regards gender-based violence against women and domestic violence in accordance with the Strategy to the Assembly of the Republic of North Macedonia for consideration, at the latest by the end of June for the previous year.

Ministry of Labour and Social Policy

Article17

(1) The Ministry of Labour and Social Policy shall perform the following work:

1) create policies for the prevention and protection of women from gender-based violence and victims of domestic violence;

1. 2) prepare a program for initial and continuous education of professionals who provide specialized services to women victims of gender-based violence and victims of domestic violence, through the Institute for Social Activities;
2. 3) conduct initial and continuous education for the experts from the centres for social work to carry out the work under their remit with respect to gender-based violence against women and domestic violence through the Institute for Social Activities;
3. 4) give consent to the initial and continuous education program for gender-based violence against women and domestic violence carried out by entities specified in Articles 18, 19 and 20 of this Law;
4. 5) provide an opinion on the initial and continuous education program for gender-based violence against women and domestic violence carried out by the entity specified in Article 23 of this Law;
5. 6) maintain a register of trained persons for the implementation of initial and continuous education on gender-based violence against women and domestic violence;
6. 7) provide financial resources to support services of prevention and protection from gender-based violence against women and domestic violence in the area of social protection in accordance with Article 27 of this Law;
7. 8) collect data on the number of women victims of gender-based violence and victims of domestic violence in the social protection system divided by: sex, gender, age, community affiliation, place of residence, relationship between the victim and the perpetrator, type and number of services provided to victims and perpetrators and other data specified in the law from institutions in the social protection system and from other institutions competent to implement this Law;
8. 9) monitor and analyse the situation regarding gender-based violence against women and domestic violence and report thereof to the National Coordinating Body at least once a year;
9. 10) cooperate with associations, foundations and other organizations in promotion, prevention and protection from gender-based violence against women and domestic violence and

11) perform other work in the field of prevention and protection from gender-based violence against women and domestic violence in accordance with the law.

(2) The method of issuing consent to the initial and continuous education program specified in paragraph (1) point 4) of this Article shall be prescribed by the Minister of Labour and social policy.

(3) The form, the content and method manner of maintaining the register from paragraph (1) point 6) of this Article shall be prescribed by the Minister of Labour and Social Policy.

Ministry of Internal Affairs

Article 18

The Ministry of Internal Affairs shall perform the following work:

1) create policies for the prevention and protection of women from gender-based violence and victims of domestic violence;

2) prepare a program for the implementation of initial and continuous education for police officers who work on the prevention and protection of women victims of gender-based violence and victims of domestic violence and deliver it to Ministry of Labour and Social Policy for their consent;

3) conduct initial and continuous education for police officers on performing the tasks under their competence for gender-based violence against women and domestic violence;

4) undertake actions for the purpose of prosecuting the perpetrators of gender-based violence against women and domestic violence in accordance with the law;

5) provide financial resources to support activities of prevention and protection from gender-based violence against women and domestic violence in accordance with Article 27 of this Law;

6) monitor and analyse the situation with gender-based violence against women and the victims of domestic violence and inform the National Coordinating Body thereof at least once a year;

7) collect data on the number of reported cases of gender-based violence against women and victims of domestic violence segregated by: sex, gender, age, ethnicity, disability, residence, relationship between the victim and the perpetrator, qualification of the crime

and other data required by law;

8) cooperate with associations, foundations and other organizations in promotion, prevention and protection from gender-based violence against women and domestic violence;

9) take urgent measures to protect women from gender-based violence and the victims of domestic violence and

10) perform other tasks within its competence for the purpose of prevention and protection of women victims of gender-based violence and domestic violence in accordance with the law.

Ministry of Health

Article 19

The Ministry of Health shall perform the following work:

1) create policies for the prevention and protection of women from gender-based violence and victims of domestic violence;

2) take care of the provision of health services in the network of health care institutions for victims and perpetrators of gender-based violence and domestic violence;

3) plan and give recommendations to health institutions for the establishment of referral centres for victims of sexual violence;

4) provide financial means to support activities and establishment and sustainability of services for prevention and protection from gender-based violence against women and domestic violence in the field of health care in accordance with Article 27 of this Law;

5) inform the public and health care professionals about the availability of existing treatment and support services for women victims of gender-based violence and victims of domestic violence;

6) prepare a program for the implementation of initial and continuous education for health care workers who work to protect women victims of gender-based violence and victims of domestic violence and submit it to the Ministry of Labour and social consent policy;

7) conduct initial and continuous education for health care workers on early detection, care and assistance of women victims of gender-based violence and victims of domestic violence;

8) collect data on the situation with women victims of gender-based violence and victims of domestic violence who have sought help and intervention through the system of health care segregated by: sex, gender, age, ethnic community, disability, residence, relationship between the victim and the perpetrator, type and number of services provided to victims and other data in accordance with the Law on Records in the Field of Healthcare, as it will for the perpetrators;

9) monitor and analyse the situation with gender-based violence against women and domestic violence, based on data from the National Electronic records System in healthcare that are kept in accordance with the Law on Records in the Field of Healthcare and report thereof to the National Coordinating Body at least once per year;

10) cooperate with associations, foundations and other organizations in promotion, prevention and protection from gender-based violence against women and domestic violence and

11) perform other tasks under its competence for the purpose of prevention and protection of women victims of gender-based violence and victims of domestic violence, in accordance with the law.

Ministry of Justice

Article 20

The Ministry of Justice shall perform the following work:

1) provide free legal assistance in accordance with the law;

2) provide financial resources for compensation for women victims of gender-based violence and domestic violence in accordance with the law;

3) provide financial means to support activities of prevention and protection from gender-based violence against women and domestic violence in accordance with Article 27 of this Law;

4) prepare a program for the implementation of initial and continuous education for authorized officials of the Ministry of Justice, authorized associations and the legal clinic and lawyers for the protection of women victims of gender-based violence and victims of domestic violence and submit it to the Ministry of Labour and Social policy for their consent;

5) conduct initial and continuous education for authorized officials who are providers of free legal aid, for support and assistance to women victims of gender-based violence and victims of domestic violence through trainers registered in the register maintained by the Ministry of Labour and Social Policy;

6) collect data on the number of requests for free legal assistance of women victims of gender-based violence and victims of domestic violence segregated by: sex, gender, age, ethnicity, disability, place of residence, relationship between the victim and the perpetrator, type and number of services provided to victims and other data as required by law;

7) monitor and analyse the situation with gender-based violence against women and domestic violence and report thereof to the National Coordinating Body at least once a year;

8) cooperate with associations, foundations and other organizations in promotion, prevention and protection from gender-based violence against women and domestic violence and

9) perform other tasks under its competence for the purpose of prevention and protection of women victims of gender-based violence and victims of domestic violence in accordance with the law.

Local Self-government Units

Article 21

Local self-government units shall perform the following work:

1) create local policies and programs for the protection of women victims of gender-based violence and victims of domestic violence;

2) establish centres for caring for victims, counselling centres for victims, counselling centres for perpetrators and other services for the prevention of gender-based violence and protection of women victims of gender-based violence and victims of domestic violence in accordance with the Law on Social Protection;

3) provide financial resources for the functioning of prevention services and protection of women victims of gender-based violence and victims of domestic violence at the local level in accordance with Article 27 of this Law;

4) conduct initial and continuous education for employees for the execution of works under its competence on gender-based violence against women and domestic violence through trainers registered in the register maintained by the Ministry of Labour and social policy;

5) establish mutual and coordinated cooperation at the local level between the centres for social work, police stations, health facilities, pre-school and educational institutions;

6) cooperate with associations, foundations and other organizations in promotion, prevention and protection from gender-based violence against women and domestic violence;

7) within the framework of the municipal councils for social protection, the situations are reviewed regarding gender-based violence against women and domestic violence and

8) perform other tasks under their competence for the purpose of prevention and protection of victims of gender-based violence and domestic violence in accordance with the law.

Agency for Audio and Audio-Visual Media Services

Article 22

The Agency for Audio and Audio-Visual Media Services shall perform the following work:

1) within the boundaries of its remit, ensure the protection of

interests, respect for human rights and dignity of women victims of gender-based violence and victims of domestic violence;

2) conduct initial and continuous education for employees for the execution of works under its competence on gender-based violence against women and domestic violence through trainers registered in the register maintained by the Ministry of Labour and social policy;

3) periodically conduct research and analysis on the presentation of gender-based violence against women and domestic violence in the programs of providers of audio and audio-visual media services;

4) take measures in accordance with the Law on Audio and Audio-visual Media Services aimed at sanctioning the providers of audio and audio-visual media services that present women in a degrading manner and do not respect the human rights of women victims of gender-based violence and domestic violence;

5) cooperate with associations, foundations and other organizations in promotion and prevention of gender-based violence against women and domestic violence and

6) perform other tasks under its competence for the purpose of prevention and protection of women victims of gender-based violence and domestic violence in accordance with the law.

Academy for Judges and Public Prosecutors

Article 23

The Academy for Judges and Public Prosecutors shall perform the following work:

1. 1) prepare a curriculum for the implementation of initial and continuous education for candidates, judges and public prosecutors on the protection of women victims of gender-based violence
2. violence and victims of domestic violence and submit it to the Ministry of Labour and social politics for their opinion;
3. 2) conduct initial and continuous education for candidates, judges and public prosecutors on gender-based violence against women and domestic violence through trainers registered in the register maintained by the Ministry of Labour and Social Work;
4. 3) conduct research and analysis in the field of gender-based violence against women and domestic violence;
5. 4) cooperate with institutions, associations, foundations and other organizations in promotion and prevention of gender-based violence against women and domestic violence
6. and
7. 5) perform other tasks under its competence for the purpose of prevention and protection of women victims of gender-based violence and victims of domestic violence in accordance with the law.

Associations

Article 24

Associations shall perform the following work:

1) provide initial and continuous training for the persons who implement activities for prevention and protection of women victims of gender-based violence and victims of domestic violence through trainers registered in the register maintained by the Ministry of Labour and Social Policy;

2) provide specialized services for the protection of women victims of gender-based violence and victims of domestic violence;

3) conduct research and analysis on the situation with gender-based violence against women and domestic violence;

4) collect data on the number of women victims of gender-based violence and victims of domestic violence to whom they have provided help and support, segregated by: sex, gender, age, ethnicity, disability, place of residence, relationship between the victim and

the perpetrator, type and number of services provided to victims and perpetrators and other data as required by law and

5) cooperate with other institutions so as to ensure timely and efficient protection of women victims of gender-based violence and victims of domestic violence.

Trade Unions

Article 25

Trade unions shall conduct research and analysis on the situation with gender-based violence against women and domestic violence, report cases of gender-based violence against women, cooperate with associations, foundations and other organizations in promotion and prevention of gender-based violence against women and domestic violence.

Legal Entities

Article 26

Legal entities exercising public powers shall undertake measures and actions for the promotion of social and cultural values of conduct that are based on equality of women and men and on elimination of stereotypes about gender roles and prevention of gender-based violence against women in the workplace pursuant to the law.

Budget for the Implementation of the Law

Article 27

Government authorities, the bodies of the local self-government units and legal entities that exercise public powers established by law shall allocate, within the framework of their departmental budgets, funds for the implementation of the competencies specified in this Law.

1. DATA COLLECTION AND PROTECTION

Data Collection

Article 28

(1) The entities from Articles 11 and 24 of this Law shall collect statistical and administrative data on the situation with gender-based violence against women and domestic violence, based on sex, gender, age, community affiliation, residence and other data specified in this or another law, in accordance with the provisions of the Personal Data Protection Law.

(2) The Ministry of Labour and Social Policy, using on a daily basis the national platform for interoperability - Macedonian Information Highway (hereinafter: MIM), shall download the data from the entities determined by the paragraph (1) of this Article who are users of MIM, in accordance with the regulations in the field of electronic management and electronic services.

(3) Entities mentioned in paragraph (1) of this Article who are not users of MIM and do not have the possibility for direct exchange of data through MIM shall develop web services on a suitable platform that meets the conditions determined by the regulations in the field of electronic management and electronic services, which will contain the data requested by the Ministry of Labour and Social Policy.

(4) The Ministry of Labour and Social Policy, using the previously collected data from the subjects from paragraph (1) of this Article, shall perform analysis and statistical processing in its system for social rights and services. The analysis and reports that do not contain data that are protected by the Personal Data Protection Law shall be published by the Ministry of Labour and Social Policy annually in a form and content determined by the Minister of Labour and Social Policy.

(5) Competent institutions shall publicly disclose the data from paragraph (1) of this Article that do not contain personal data in a processed form on their websites, as well as in the Central Catalogue of data from the public sector in accordance with the Law on Utilization of Public Sector Data.

 (6) The form, the content and the method of integrated collection of data from paragraph (1) of this Article, the entry of data into the system for social rights and services from paragraph (4) of this Article and the content of the data from paragraph (5) of this Article shall be prescribed by the Minister of Labour and Social Policy in agreement with the Minister of Internal Affairs, the Minister of Health and the Minister of Justice.

Courts

Article 29

1. (1) Courts shall establish and maintain separate records of the number of cases of gender-based violence against women and victims of domestic violence based on sex, gender, age, ethnicity, disability, residence and other grounds, as well as data relevant for monitoring the situation with gender-based violence against women and domestic violence in accordance with the law.
2. The content and the method of data collection from paragraph (1) of this Article shall be prescribed by the Minister of Justice.

Public Prosecutor’s Office

Article 30

1. (1) Public Prosecutor's Offices shall establish and maintain special records of cases of gender-based violence against women and victims of domestic violence based on sex, gender, age, ethnicity, disability, residence and other grounds, as well as data relevant for monitoring of the situation with gender-based violence against women and domestic violence in accordance with the law.
2. The content and the method of data collection from paragraph (1) of this Article shall be prescribed by the Minister of Justice.

National Survey

Article 31

(1) The State Statistical Office shall conduct a national survey on the situation with gender-based violence against women and domestic violence.

(2) The survey shall aim to provide comprehensive information on the number of cases of the separate forms of gender-based violence against women and domestic violence by sex, gender, age, ethnicity, disability, geographic location of the victim and the offender and other information relevant to the monitoring of the situation for violence against women.

Personal Data Protection

Article 32

(1) Entities mentioned in Articles 11 and 24 of this Law shall collect, process, use, store and delete personal data in accordance with the Personal Data Protection Law.

(2) Under this Law, personal data collected in accordance with this Law shall be immediately deleted in cases where it will be established that the reasons, or the conditions due to which the personal data have been entered in the records, are not correct or have been discontinued.

(3) Personal data collected in accordance with this Law may are provided under the conditions established by the Personal Data Protection Law until such time that they are deleted.

(4) The right of the subject of personal data to access and have correction of personal data which are available to the entities from Articles 11 and 24 of this Law made, as well as the obligation to

1. protection of personal data, shall be ensured under the conditions established by the Personal Data Protection Law.
2. (5) The entities from Articles 11 and 24 of this Law shall ensure the secrecy and protection of the processing of personal data of the subject of personal data, whereby they must apply appropriate technical and organizational measures of protection against accidental or illegal destruction of personal data or their accidental loss, impersonation, unauthorized disclosure or access, especially when the processing involves the transfer of data over the network and protection against any illegal forms of processing.

PREVENTION FROM GENDER-BASED VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

Article 33

1. Public authorities, local self-government units, the public and private sectors, political parties, the media, associations and foundations, informal groups, social partners, unions, religious organizations and other organizations shall take preventive measures to raise awareness about all forms of gender-based violence, promoting gender equality and eliminating stereotypes about gender roles based on culture, customs, faith, traditions and other practices which rest on the idea of subordination of women and men.
2. The mechanisms for gender equality in public administration bodies and in the local self-government units which are established law shall conduct coordination and give the initiative to take preventive measures in accordance with this Law.

General Preventive Measures

Article 34

Entities mentioned in Article 33 of this Law shall undertake the following general preventive measures:

1) adopt a program for planning and implementing preventive measures and activities in accordance with this Law;

2) implement campaigns aimed at recognition of the consequences of gender-based violence against women and domestic violence;

3) establish a system for regular publication of information on security measures, advice and other useful information for the prevention of violence and

4) cooperate with each other in the promotion and prevention of gender-based violence against women and domestic violence.

Ministry of Education and Science

Article 35

The Ministry of Education and Science, in addition to the general preventive measures specified in Article 34 of this Law shall also undertake the following special preventive measures:

1) adopt programs for equality between women and men, non-violent conflict resolution, respect for differences, promotion of gender equality and elimination of stereotypes about gender roles based on culture, customs, faith, traditions and other practices which rest on the idea of ​​subordination of women and men in institutions for the care and upbringing of children of preschool age at the proposal of the Bureau for the Development of Education;

2) introduce contents in the curricula that promote gender equality, non-violent conflict resolution, respect for diversity, information for all forms of gender-based violence and comprehensive sexuality education in primary and secondary schools;

3) introduce contents in the curricula that promote gender equality, non-violent conflict resolution, respect for diversity, information about all forms of gender-based violence in adult education and

4) implement initial and continuous education for educational staff on gender equality, non-violent conflict resolution, respect for diversity, information on all forms of gender-based violence against women and domestic violence and comprehensive sexuality education through the Bureau for Education Development.

Ministry of Labour and Social Policy

Article 36

The Ministry of Labour and Social Policy, in addition to the general preventive measures mentioned in Article 34 of this Law shall also undertake the following special preventive measures:

1. implement programs for non-violent conflict resolution, respect for diversity, promotion of gender equality and elimination of stereotypes about gender roles based on culture, customs, faith, traditions and other practices which rest on the idea of ​​subordination of women and men in institutions for the care and upbringing of children of preschool age in accordance with the Law on the Protection of Children;
2. provide measures for the inclusion of women victims of gender-based violence and victims of domestic violence in active employment measures as well as their employment and
3. implement campaigns or programs to raise awareness and understanding of the general public about the recognition and consequences of violence against women and domestic violence.

Media

Article 37

The media established in accordance with the Media Law shall apply the general preventive measures mentioned in Article 34 points 2), 3) and 4) of this Law, to the extent of their capabilities and independent and autonomous editorial policy, and take the following special preventive measures:

1. when creating and broadcasting informative and educational programs take into account awareness raising among the general public about all forms of gender-based violence against women and domestic violence, promoting gender equality and eliminating stereotypes about gender roles and
2. independently or through professional associations of journalists and media workers establish cooperation with associations to strengthen their capacities for professional reporting on issues related to violence against women and domestic violence.

Religious Communities

Article 38

Churches, religious communities and religious groups shall refrain from statements, announcements or publications that justify gender-based violence against women and domestic violence as a result of religion, culture, tradition or custom.

Treatment of Perpetrators of Domestic Violence

Article 39

Psychosocial treatment of perpetrators of domestic violence shall be provided in a counselling centre for perpetrators of violence in accordance with the Law on Social Protection and regulations in the field of health care.

1. PROTECTION OF WOMEN VICTIMS OF GENDER-BASED VIOLENCE AND VICTIMS OF DOMESTIC VIOLENCE

Reporting by Citizens

Article 40

1. Any natural person who is aware of the existence of gender-based violence against women and domestic violence shall report to the police station, centre for social work, public prosecutor's office, association or S.O.S. line.
2. The competent institutions from paragraph (1) of this Article shall act upon an anonymous report.

Reporting by Officials

Article 41

1. (1) The person in charge and the head of the institution who conduct activities in the field of social and child protection, employment, internal affairs, health and education, shall report knowledge of the existence of gender-based violence against women and domestic violence to the police station or a social work centre.
2. (2) Every responsible and managerial person in a legal entity shall report any knowledge of the existence of gender-based violence against women and domestic violence to a police station or social work centre.
3. Any responsible and managerial person in a legal entity who is aware of the existence of gender-based violence against women and domestic violence, which causes immediate danger to life and the body, shall report it to the public prosecutor's office.

Article 42

 (1) Information about the victim or perpetrator of violence, on the basis of which the victim or members of her family can be identified, may not be disclosed publicly, unless the victim agrees to it.

(2) Institutions, parents, guardians, foster parents or adoptive parents shall protect the child from public exposure.

Companion

Article 43

(1) The victim has the right to choose a person who will accompany her during the procedure before a competent authority.

(2) The companion may be any adult person, except the person who is the perpetrator of gender-based violence and/or domestic violence in the procedure.

(3) The companion shall help the victim in protecting her interest and provide support in proceedings before officials and institutions and help in finding a solution to her case and provide support to the victim.

(4) The official conducting the procedure will not allow the companion to accompany the victim, in case s/he fails to meet the conditions from paragraph (2) of this Article, as well as if s/he finds that the companion cannot provide support to the victim from paragraph ( 3) of this Article, due to family relationships or other relationships with the victim or perpetrator of violence against women and/or domestic violence.

(5) Children and persons with limited or deprived business capacity in proceedings before competent institutions shall be accompanied by their parent or guardian, except for the parent or guardian who is a perpetrator of violence against women and/or domestic violence.

1. MEASURE OF PROTECTION OF VICTIMS

Measures of Protection against Victimization

Article 44

The competent institutions from Article 40 paragraph (1) of this Law shall handle the victims in such way that will protect them additionally from victimization or re-victimization, by taking the following measures in accordance with their competences:

1) protection of the victim's identity and personal data;

2) taking a statement at the place of registration;

3) taking the victim's statement at the police station or public prosecutor's office using a video and audio recording that is used as evidence in the procedure after the victim's prior consent;

4) conversation in special rooms adapted for conversation with victims;

5) limitation of confrontation with the reported person;

6) limitation of giving a statement to a maximum of two times during the procedure for protection against violence and

7) other measures to protect the integrity of the victim.

Centre for Social Work

Article 45

1. (1) The Centre for Social Work shall start a procedure immediately, and no later than within 12 hours of gaining knowledge that gender-based violence against a woman or domestic violence has been committed and take measures to protect the victim, on the basis of risk assessment.
2. (2) The Centre for Social Work shall initiate ex officio the procedure upon gaining knowledge that gender-based violence against women or domestic violence has been committed when it receives a request by the victim, upon report by a citizen, official, institution, and association.
3. The Centre for Social Work in cases where the victim is a child or a person who is unable to take care of him/herself or a person with limited or deprived business capacity, shall take measures for protection, regardless of whether there is consent of the parent or guardian.

Article 46

The Centre for Social Work shall take the following measures to protect the victims:

1) provide temporary care;

2) ensure that the victim receives the necessary medical assistance and, if necessary, accompanies her to the nearest health facility;

3) ensure that the victim can exercise the right to social and health protection in accordance with the law;

4) provide appropriate psycho-social intervention and treatment;

5) ensure that the victim receives psycho-social treatment in a counselling centre by experts in the Centre for Social Work, association, counselling centre for women victims of violence and other victims of domestic violence;

6) provide assistance to the family for the regular education of a child;

7) provide legal assistance and representation;

8) refer the victim to the appropriate state and other authorities responsible for the economic empowerment of the victim and her active inclusion in the Labour market, through a competent employment centre and

 9) in case of high risk and when taking urgent protection measures, as well as when the victim uses temporary residence services, and at the latest within 12 hours of the receipt of the application, adopt a decision on temporary care and upbringing of children to the parent victim.

Article 47

1. (1) In addition to the measures from Article 46 of this Law, the Centre for Social Work, when a child or a person who is unable to take care of himself or a person whose business ability is limited or deprived appears as a victim shall take measures in accordance with the Family Law relating to the regulation of the relations between parents and children, supervision over the exercise of parental rights and guardianship and in accordance with The Children's Justice Act.
2. (2) In the procedures for entrusting the child to one of the parents, the centre for social work shall take into account the interest of the child, in a way that ensures that the rights and safety of the victim and/or the children shall not be jeopardized.
3. The Centre for Social Work may temporarily limit or prohibit the child's personal relations and direct contact with the parent with whom he does not live together, in cases when it is in the interest of the child, for as long as the risk and consequences of the committed violence last.

Article 48

1. (1) Whenever the Centre for Social Work becomes aware that gender-based violence has been committed by a person who owns a firearm, it shall immediately notify the Ministry of Internal Affairs, and submit a written notification within 24 hours at the latest.
2. The Centre for Social Work, whenever it becomes aware that the violence was committed by a person who has access to and handles official firearms, shall immediately, and within 24 hours at the latest, submit a written notification to the institution or the legal entity in which the person is employed. and report thereof to the Ministry of Internal Affairs.

Ministry of Internal Affairs

Article 49

1. Whenever there is a report of gender-based violence against women and domestic violence, and in order to eliminate an immediate and serious danger to the life and physical and mental integrity of the victim and her family members, a police officer shall go to the scene of the incident and prepare a police report immediately, and at the latest within 12 hours of the intervention at the event.
2. In cases of gender-based violence against women and domestic violence, the police officer, when undertaking police work and applying police powers, operational-technical and preventive measures established by the Law on Police, shall always make a risk assessment with regards to serious danger to life and the physical and mental integrity of the victim and members of his family and the risk of repetition of violence, with the aim of protecting the victim through appropriate risk management.
3. The police officer shall ensure that the victim immediately receives appropriate health care described in Article 51 of this Law.
4. When acting as specified in paragraph (1) of this Article, the police officer shall temporarily confiscate the weapon from the perpetrator and initiate a procedure provided by the law for the confiscation of the license for weapons, the license for collector's weapons, or the license to carry weapons
5. At the victim's request, the police officer shall accompany the victim to the victim's residence to take personal belongings that are necessary for everyday life, and if this is prevented by the perpetrator or other persons living in the same residence, take the victim's personal belongings in cooperation with a competent public prosecutor and on the basis of an order issued by the court.
6. In case of immediate and serious danger to the life and physical and mental integrity of the victim and members of her family, the police officer shall notify the competent public prosecutor immediately, and at the latest within 12 hours of the intervention at the event.
7. The police officer shall submit to the competent court within the time limit established in paragraph (1) of this Article a proposal for the imposition of an emergency protection measure - removal of the perpetrator from the home and a restraining order preventing the perpetrator to approach the home and a police report drawn up by the police officer.
8. The police officer shall notify the competent Centre for Social Work within the time limit established in paragraph (1) of this Article so as to take emergency measures for the protection of the victim.
9. When the police officer has found that there is a high risk of immediate and serious danger to the life, physical and mental integrity of the victim and members of her family, he shall deprive the offender of his freedom in accordance with the law.

Risk Assessment

Article 50

1. When performing the tasks under their competence, Competent institutions mentioned in Articles 45 and 49 of this Law shall make a risk assessment of serious danger to the life and physical and mental integrity of the victim and members of her family, assessment of the risk of recurrence of violence in order to manage the risk and ensure measures for coordinated assistance and protection of the victim.
2. The risk assessment shall be made immediately within the first 12 hours of registration. During the entire procedure, the risk assessment shall be made in cooperation with the victim according to her needs.
3. The method of carrying out the assessment of risk of serious danger to the life and physical and mental integrity of the victim and members of her family and of the risk of recurrence of violence, appropriate risk management, implementation and monitoring of measures for the protection of women victims of gender-based violence and victims of domestic violence, undertaken by the centre for social work and the necessary forms shall be prescribed by the Minister of Labour and Social Policy.
4. The method of assessing the risk of serious danger to the life and physical and mental integrity of the victim and her family members and the risk of recurrence of violence, the appropriate management of the risk, the form of the police report and the proposal for imposing an emergency measure on protection, removal of the perpetrator from the home and the restraining order shall be prescribed by the Minister of Internal Affairs.

Health Care Institutions

Article 5

1. The healthcare facility and healthcare professionals shall take immediate measures to protect the victim as follows:

 - examination of injuries and provision of medical treatment,

 - document the injuries and collect evidence of the existence of a violation of physical and mental integrity,

 - issue medical documentation for the ascertained injury that clearly and comprehensibly describes the type and extent of the injuries,

 - inform the victims about their rights, the protection procedure and available services for help and support and

 - undertake other measures for the protection of the victims in accordance with the needs of the victims.

 (2) The victims are exempted from bearing the costs for the measures from paragraph (1) of this Article.

1. Health care measures for women victims of violence and victims of domestic violence from paragraph (1) of this Article shall be provided through an annual program adopted by the Minister of Health.

Associations

Article 52

1. An association may take measures for protection from Article 46 points 1), 2), 4), 5), 7) and 1) of this Law, independently or in cooperation with the competent Centre for Social Work.
2. The association shall notify the Social work centre competent for the place of residence of the victim within 24 hours of taking the measures about the protection measures it has undertaken as specified in paragraph (1) of this Article.

Local Self-Government Units

Article 53

1. Local self-government units shall provide funds in the budget for financial support to victims of gender-based violence and domestic violence.
2. The volume, scope, amount, and duration of financial support for victims are regulated by each unit of local self-government in accordance with the law.

**Educational Institutions**

Article 54

The educational institutions on the territory of the local self-government units shall ensure immediate enrolment of children who are victims of violence in schools or kindergartens in their area without requiring the consent of both parents.

**Multisectoral expert team**

Article 55

1. In cases where there is knowledge of a threat to the life and health of women victims of gender-based violence and victims of domestic violence and family members, a security plan for assistance is drawn up by a multi-sectoral expert team.
2. The competent Centre for Social Work, according to the place of residence, or the place of stay of the victim, shall set up a multi-sectoral expert team mentioned in paragraph (1) of this Article, which is composed of experts from the Centre for Social Work, the competent police station, and a health facility, with the aim of undertaking coordinated activities in providing assistance to the victim to correspond to her needs.
3. In the work of the multi-sectoral expert team mentioned in paragraph (2) of this Article, representatives of associations shall participate and propose and implement measures and activities from the security plan to help the victim.
4. When there is knowledge of a threat to the life and health of a child, the multi-sectoral expert team shall foresee measures and activities in the safety plan developed to help the parent that should be carried out to help the child.

Article 56

All measures and services for victims of gender-based and domestic violence provided by this Law that are available to the citizens of the Republic of North Macedonia are equally available to refugees, asylum seekers, stateless persons, and persons without documents or personal identification, regardless of the concession to regulate their status.

1. EMERGENCY AND TEMPORARY PROTECTION MEASURES

Emergency Measure

Article 57

1. In order to remove an immediate and serious danger to the life and physical and mental integrity of the victim and members of her family, an emergency protection measure shall be ordered at the proposal of the Ministry of Internal Affairs without the victim's consent, namely the removal of the perpetrator from the home and a restraining order preventing the perpetrator from approaching the home at the proposal of the Ministry of the Interior works, without the victim's consent.
2. The Ministry of Interior shall submit the proposal for an emergency protection measure to the competent court after the risk assessment from Article 50 paragraph (2) of this Law and the police report from Article 49 paragraph (7) of this Law have been made.
3. The emergency measure for protection from paragraph (1) of this Article shall be ordered for at least ten, and at most up to 30 days.

Temporary Protection Measure

Article 58

1. For the purposes of ending the violence, removing the consequences of the committed violence and taking effective measures against the perpetrator of violence, in order to eliminate the reasons for repeating the violence, the perpetrator of gender-based violence against women and the victims of domestic violence may receive from the court an injunction with the following temporary protection measures:

1) injunction against threats to commit violence (non-molestation order);

2) injunction prohibiting the person to harass, molest, make telephone calls, contact or otherwise directly or indirectly communicate with the victim;

3) restraining order preventing the perpetrator to approach at a distance of less than 100 meters the residence, school, workplace or a specific place regularly visited by the victim;

4) removal from the home regardless of ownership for ten to 30 days;

5) injunction prohibiting possession of firearms or other weapons or otherwise have them confiscated;

6) compulsory return of the items that are needed to meet the daily needs of the victim and the family;

7) mandatory legal maintenance of the family;

8) compulsory visit to a counselling centre for perpetrators of violence against women or domestic violence;

9) compulsory treatment of the offender if he uses alcohol, drugs and other psychotropic substances or has a mental illness;

10) the perpetrator must compensate the medical and other costs incurred by the violence and

11) any other measure that the court deems necessary to ensure the safety and well-being of the victim and other family members.

1. In the proceedings in which the court decides on temporary protection measures, the provisions of the Law on Civil Procedure are applied, unless otherwise regulated by this Law.

Article 59

1. The Ministry of Internal Affairs shall submit a proposal for the imposition of an emergency measure of protection from Article 57 of this Law to the competent court in order to remove an immediate and serious danger to the life and physical and mental integrity of the victim and members of her family.
2. The victim may submit a proposal for the imposition of a temporary measure of protection under Article 58 of this Law to the competent court directly or through the centre for social work at her request.
3. The Centre for Social Work may submit a proposal for the imposition of a temporary measure of protection under Article 58 of this Law to the competent court with the consent of the victim.
4. The parent or guardian may submit a proposal for the imposition of a temporary protection measure from Article 58 of this Law on behalf of a minor child and a person with limited or reduced business capacity, as well as for a person over whom the parental right has been extended.
5. The Centre for Social Work must submit to the court a proposal for the imposition of a temporary measure of protection mentioned in Article 58 of this Law, on behalf of children and persons with no business capacity whenever the parent, guardian or legal representative fail to do so and without their consent.
6. The centre for social work may propose in the petition filed with the court for an imposition of a temporary protection measure from Article 58 of this Law that the temporary measure of protection of a child shall also apply to the parent with whom the child lives, in cases where the interests of the child require so for his/her protection and safety.

Article 60

The Centre for Social Work, in response to the petition for the imposition of a temporary protection measure from Article 58 of this Law, shall submit a finding and an opinion of an expert team in which it shall also make a proposal for the imposition of a temporary measure/s depending on the identified needs for the protection of the victim.

Article 61

A petition for the imposition of a temporary measure may be filed regardless of whether criminal proceedings are being conducted.

Article 62

1. The temporary protection measure from Article 58 of this Law may remain in effect at least three months, and at most up to one year.
2. If violence continues after the expiration of the period for which a temporary measure of protection has been issued within the one-year period from paragraph (1) of this Article, the victim or the social work centre may file an application for the extension of the measure/s.
3. After the expiration of one year from the imposed temporary protection measure described in paragraph (1) of this Article, in the event that violence against women and domestic violence occurs again, the victim or the social work centre shall file a new petition to the court.

Article 63

1. The victim or the centre for social work may submit a proposal to the competent court for the cancellation of the imposed temporary protection measure from Article 58 of this Law before the expiration of the term for which the measure was issued if it is found that it has achieved the purpose for which it was issued.
2. The victim or the centre for social work may submit a proposal for amending the temporary protection measure from Article 58 of this Law or for its extension, if the imposed measure did not provide adequate protection for the victim or if changed circumstances have arisen.

Issuance of Temporary Protection Measures

Article 64

In the procedures in which the court decides on temporary protection measures, the provisions of the Law on Civil Procedure shall apply unless otherwise required by this Law.

Article 65

1. An individual judge shall decide in the proceedings for the issuance of temporary measures for protection from gender-based violence against women and domestic violence.
2. The public shall be excluded from the hearing in the proceedings from paragraph (1) of this Article of this Law.
3. Notwithstanding paragraph (2) of this Article, the judge may allow the hearing to be attended by scientific and public workers who deal with the problems of marriage and the family as well as persons that the parties will propose.

Article 66

1. The court shall decide, immediately and at the latest within 24 hours after receiving the proposal from the Ministry of Internal Affairs and the police report, without holding a hearing, on the issuance of an emergency protection measure, removal of the offender from the home and a restraining order from Article 57 of this Law.
2. Upon the petition filed by the victim or the Centre for Social Work to issue a temporary protection measure from Article 58 of this Law, the court shall act immediately, and at the latest within seven days from the day of receipt of the request.
3. The court shall decide without a hearing on the issuance of an emergency protection measure from Article 57 of this Law within 24 hours when there is a well-founded suspicion of serious danger to the life and health of the victim or a family member, based on the expert opinion and opinion of the centre for social work.

Article 67

1. The hearing shall be held in the presence of the victim, the opposing party (the perpetrator of gender-based violence against women and domestic violence) and a representative from the Centre for Social Work, when s/he is the party that has filed the proposal for the issuance of a temporary protection measure from Article 58 of this Law.
2. When the victim is a child and/or a person with limited or reduced business capacity, she shall be represented at the hearing by a parent or guardian who is not an opposing party in the proceedings.
3. The court shall serve the summons for a hearing to the opposing party within two days from the day of receipt of the proposal.
4. At the discretion of the court, other persons may be summoned to the hearing.
5. Notwithstanding paragraph (1) of this Article, when there is a well-founded suspicion of a serious danger to the life and health of the victim or a family member, the court may issue an emergency measure of protection described in Article 57 of this Law, in the absence of the opposing party and based on expert findings and opinion of the centre for social work, if no other evidence is obtained.

Article 68

On the proposal of the Centre for Social Work or the woman victim of gender-based violence and the victim of domestic violence, the court may extend, revoke or modify the temporary protection measure/s from Article 58 of this Law.

Article 69

With the decision ordering the emergency protection measure from Article 57 of this Law and the temporary protection measure described in Article 58 of this Law, the court shall order the perpetrator of gender-based violence against women and the victim of domestic violence to respect the court decision.

Article 70

1. The court shall deliver the decision to issue an emergency protection measure, removal of the offender from the home and restraining order preventing any approach to the home as specified in Article 57 of this Law to the police station with enforcement competencies on a respective territory within six hours of the decision, which shall in turn deliver it immediately and no later than within 12 hours following the receipt of the decision to the perpetrator of gender-based violence against women and other victims of domestic violence.
2. When the service cannot be executed within the period specified in paragraph (1) of this Article, the court, after receiving the notification from the Ministry of Internal Affairs, shall post the decision on the notice board of the court, thus rendering the service been duly executed.
3. The Ministry of Internal Affairs shall remove the perpetrator from the home within two hours, counting from the moment when he was served the decision on the issued emergency protection measure for removal of the perpetrator from the home and a restraining order from Article 57 of this Law, in case he refuses to leave the home voluntarily.

Article 71

1. The court shall submit to the public prosecutor and the centre for social work a copy of the decision on an emergency protection measure, removal of the perpetrator from the home and a restraining order as specified in Article 57 of this Law.
2. A copy of the decision on the imposition of a temporary protection measure from Article 58 of this Law shall be delivered by the court to the parties, the centre for social work and the institution competent for the enforcement of the temporary protection measure.

Article 72

1. The appeal against the decision of the basic court on the issuance of an emergency measure of protection, removal of the perpetrator from the home and a restraining order as specified in Article 57 of this Law or a temporary measure of protection from Article 58 of this Law can be filed within a period of three days from the day of receipt of the decision.
2. The appeal filed against the court's decision shall not prevent the enforcement of the decision.

**Enforcement of Emergency and Temporary Protection Measures**

Article 73

1. The Ministry of Internal Affairs shall enforce the emergency measure for protection, removal of the perpetrator from the home and the restraining order home from Article 57 of this Law and the temporary measures of protection from Article 58 paragraph (1) points 1), 2), 3), 4) and 1) of this Law, the Ministry of Health shall enforce the temporary measure for protection from Article 58 paragraph (1) point 9) of this Law, a counselling centre for perpetrators of domestic violence shall enforce the temporary protection measure from Article 58 paragraph (1) point 8) of this Law, and the enforcement of the temporary measures for protection from Article 58 paragraph (1) points 6), 7), 10) and 11) of this Law is carried out in accordance with the law.
2. The counselling centre for perpetrators of gender-based violence and domestic violence shall enforce the court decision on protective supervision with reference to the established obligation for the person convicted of a crime in the context of gender-based violence and domestic violence for attending a program for work with convicts for crimes committed while engaged in gender-based violence and domestic violence and inform the court about the fulfilment of the obligation.

Article 74

1. The method of enforcement of the emergency protection measure, removal of the perpetrator from the home and the restraining order mentioned in Article 57 of this Law and temporary protection measures from Article 58 paragraph (1) points 1), 2), 3) , 4) and 5) of this Law shall be prescribed by the Minister of Internal Affairs.
2. The method of enforcement of the temporary protection measure from Article 58 paragraph (1) point 9) of this Law shall be prescribed by the Minister of Health.
3. The method of enforcement of the temporary protection measure from Article 55 paragraph (1) point 8) of this Law shall be prescribed by the Minister of Labour and Social Policy.

Article 75

1. The Centre for Social Work shall monitor the execution of the temporary protection measure/s from Article 58 of this Law.
2. For the purposes of monitoring of the temporary protection measures from paragraph (1) of this Article, the centre for social work shall cooperate with citizens, legal entities, institutions, and associations.
3. The Centre for Social Work shall inform the court about the course and effects of the enforcement of the temporary protection measure/s from paragraph (1) of this Article.

Article 76

1. The court may request a notification from the Ministry of Internal Affairs on the method of enforcement and compliance with the emergency protection measure, removal of the perpetrator from the home and a restraining order from Article 57 of this Law.
2. The court may request notification from the social work centre for the enforcement of the temporary protection measure from Article 58 of this Law during the monitoring period.

Article 77

The victim shall inform the centre for social work of non-compliance and/or violation of the temporary protection measure/s from Article 58 of this Law in a procedure at her proposal.

Article 78

1. The Ministry of Internal Affairs shall immediately notify the court of non-compliance or violation of the emergency protection measure from Article 57 of this Law.
2. The Centre for Social Work shall immediately notify the court of non-compliance or violation of the temporary protection measure from Article 58 of this Law.

Article 79

When an emergency protection measure from Article 57 of this Law is violated as regards the restraining order, the Ministry of Internal Affairs shall submit a proposal to the public prosecutor for the issuance of precautionary measures in accordance with the Law on Criminal Procedure.

Article 80

1. The Centre for Social Work shall file a criminal complaint against the perpetrator for disobeying the court decision on the temporary measure of protection from Article 58 of this Law.
2. The Centre for Social Work shall file a criminal complaint against the perpetrator for disobeying the court decision on a temporary measure of protection from Article 58 of this Law, whenever the violence is committed against a child or in the presence of a child.
3. The public prosecutor shall notify the social work centre in writing about the initiated criminal procedure on the basis of the criminal complaint from paragraphs (1) and (2) of this Article

Article 81

The method of implementation and the method of monitoring the temporary protection measures from Article 58 of this Law shall be prescribed by the Minister of Labour and Social Policy.

1. COURT PROTECTION

Court Protection of the Victims

Article 82

1. Victims have the right to judicial protection, in civil proceedings and criminal proceedings before the courts of territorial and subject matter jurisdiction.
2. Victims have the right to special measures of procedural protection in accordance with the Law on Criminal Procedure and the Law on Justice for Children.

Action for Determination of Liability for Failure to Exercise Due Care

Article 83

1. The victim shall have the right to file a complaint before a civil court to determine the liability for failure by the entities specified in Article 4 of this Law to act with due care.
2. The complaint mentioned in paragraph (1) of this Article may be filed with a petition:
3. to determine the liability of the defendant for failure to act with due care established by this Law;
4. to award damages to the victim due to failure by the defendant to act with due care and
5. to order the defendant to take actions for the protection of the victim in accordance with the provisions and deadlines set forth in this Law.
6. The provisions of the Law on Civil Procedure shall be applied accordingly in the proceedings unless otherwise stipulated by this Law.

Territorial Jurisdiction

Article 84

In addition to the court with general territorial jurisdiction, the court in whose territory is the residence, registered residence of the plaintiff or the headquarters of the accommodation centre where the victim is located shall also have territorial jurisdiction in all civil proceedings for the protection of victims of gender-based violence and domestic violence.

Burden of Proof

Article 85

The complainant who claims that under the provisions of this Law the principle of due care has been violated shall present the facts that make the claim plausible and then the burden of proof shall shift to the defendant to prove that he acted with due care.

Amicable Dispute Resolution

Article 86

In procedures related to the protection of victims, the court may not refer to a mandatory amicable dispute resolution.

Victim Compensation

Article 87

1. Victims shall have the right to compensation for material and non-material damage in accordance with the law.
2. A victim who cannot collect her legal claim awarded by a final court judgment from the perpetrator may seek payment from the state fund in accordance with the law.
3. Victims are exempted from paying all the costs of the procedures for compensation of damage until the final collection of the legal claim in accordance with the law.
4. SERVICES FOR WOMEN VICTIMS OF GENDER-BASED VIOLENCE AND DOMESTIC VIOLENCE

General Services for Victims

Article 88

1. Women victims of gender-based violence and victims of domestic violence shall have access to health and social services.
2. The officials in the institutions that provide health and social services are under the obligation to give support and help and refer them to other appropriate specialized service providers.

Specialized Services for Victims

Article 89

1. Specialized services for women victims of gender-based violence and domestic violence are services that respond to the specific needs of victims of various types of violence.
2. Specialized services from paragraph (1) of this Article shall be provided free of charge in a way that protects the privacy, dignity and reputation of the victims.
3. Specialized services described in paragraph (1) of this Article shall be available to all victims, including their children, regardless of the victim's will to testify in proceedings against the perpetrator.
4. Specialized services from paragraph (1) of this Article shall be financed from funds from the Budget of the Republic of North Macedonia, from the budgets of the local self-government units and other sources of financing.

Information and Referral Services

Article 90

1. The information and referral service shall be provided through a S.O.S. line.
2. S.O.S. line shall provide 24-hour accurate, timely and confidential information on victim protection, available services and telephone counselling for women victims of violence and victims of domestic violence.
3. The service from paragraph (1) of this Article shall be provided by social service providers in accordance with the Law on Social Protection.

Counselling Service

Article 91

1. The counselling service shall include psycho-social support, counselling and treatment of women victims of gender-based violence, children who are victims of gender-based violence and victims of domestic violence
2. The counselling service for children who are victims of abuse, neglect and violence shall be provided through the implementation of an individual plan drawn up by the centre for social work in accordance with the Law on Social Protection.
3. The services for children who are victims of crimes from paragraph (2) of this Article shall be provided in accordance with the Law on Justice for Children.
4. Within the framework of the counselling service, victims may also receive referrals and/or affiliation to institutions or associations in accordance with the Law on Social Protection.

Temporary Accommodation Service

Article 92

1. The temporary accommodation service shall provide care in a temporary residence centre when there is awareness of a real threat to the life and health of the victim or in the absence of other resources for the care of the following categories of persons:
2. women victims of gender-based violence and domestic violence and their children;
3. women victims of sexual violence and rape;
4. victims of human trafficking and
5. victims of violence due to sexual orientation and gender identity.
6. Emergency accommodation shall be provided in an acute state of violence when there is a serious real threat to the life and health of the victim for a period of 24 to 72 hours.
7. In addition to the care in the centre as specified in paragraph (1) of this Article, victims shall receive protection, psycho-social help and support, treatment to overcome trauma, legal counselling, involvement in active measures for the victim's employment with the aim of inclusion in the Labour market and achieving financial independence and other services depending on the needs of the victim in accordance with the law.
8. The temporary accommodation service can last for a maximum of three months with the possibility of an extension for a maximum of one year.

Article 93

The specialized services from Articles 90, 91 and 92 of this Law shall be provided by the Ministry of Labour and Social Policy and other providers of social services in accordance with the norms and standards for providing social services as specified in the Law on Social Protection.

**Service for the Protection and Support of Women Victims of Sexual Violence and Rape**

Article 94

1. The service for the protection and support of women who are victims of sexual violence and rape shall be provided within the referral centre for victims of sexual violence
2. Identification, assessment, medical examination, psychological crisis support, referral of women who are victims of sexual violence and rape shall be provided in the health care facility referred to in paragraph (1) of this Article.
3. The service from paragraph (1) of this Article shall be provided in accordance with the Standard Operating Procedure issued by the Minister of Health.

Service for the Long-term Treatment of Female Victims of Sexual Violence and Rape

Article 95

1. The service for long-term treatment of women victims of sexual violence and rape shall be provided in a centre for long-term counselling and psychotherapy of women victims of sexual violence and rape.
2. The service from paragraph (1) of this Article shall include individual and/or group psychotherapy, psycho-social counselling, connection with other general and specialized services, accompaniment to institutions and organizations and representation of the victims in other institutions and organizations.
3. The service from paragraph (1) of this Article shall be provided in accordance with the Standard Operating Procedure issued by the Minister of Health.

Article 96

Specialized services explained in Articles 94 and 95 of this Law shall be provided by the Ministry of Health in accordance with the regulations in the field of health care.

Free Legal Aid Services

Article 97

1. The free legal aid service shall be provided in accordance with the law.
2. Associations may provide a free legal aid service for women victims of violence and victims of domestic violence, financed from other sources as well.

Service providers

Article 98

Specialized services may be provided by specialized service providers, namely: institutions in the social protection system, health institutions, associations, local self-government units, domestic and foreign legal and natural persons, under conditions laid down in the law.

Reintegration of Victims of Violence

Article 99

1. Entities mentioned in Articles 11 and 24 of this Law shall take care, within their competencies, of the process of reintegration of victims of violence by recognizing victims as a special vulnerable category and developing programs and measures for assistance and support based on their needs.
2. The program for the reintegration of victims of violence shall include models for temporary housing, psychological counselling with mentoring, various types of financial assistance specifically intended for women victims of violence, opportunities for education and training in various areas, as well as employment measures determined by law.
3. Employment measures and other assistance and support measures from paragraph (1) of this Article should be adapted according to the specific needs of the victims.
4. The program for the reintegration of victims of violence shall be issued by the Minister of Labour and Social Policy.
5. SUPERVISION OF THE IMPLEMENTATION OF THE LAW

Article 100

1. Supervision over the implementation of the provisions of Articles 40 paragraph (2), 41, 45, 46, 47, 48 50, 55 paragraphs (2) and (4), 59 paragraphs (3), (5) and (6) , 60, 72, 75, 76 paragraph (2), 78 paragraphs (1) and (2) of this Law and the bylaws adopted on the basis of Articles 26 paragraph (6), 50 paragraph (3), 74 paragraph (3) , 81 and 99 paragraph (4) of this Law shall be carried out by the Ministry of Labour and Social Policy.
2. Supervision over the implementation of the provisions of Articles 40 paragraph (2), 41, 44, 49, 50, 57, 58, 59 paragraph (1), 73 paragraph (1), 78 paragraph (1) and 79 of this Law and by-laws adopted on the basis of Articles 50 paragraph (4) and 74 paragraph (1) of this Law shall be carried out by the Ministry of Internal Affairs.
3. Supervision over the implementation of the provisions of Articles 40 paragraph (2), 41, 51 and 58 paragraph (1) of this Law and the by-laws adopted on the basis of Articles 74 paragraph (2), 94 paragraph (3) and 95 paragraph (3) of this Law shall be carried out by the Ministry of Health.
4. Supervision over the implementation of the provisions of Articles 41 and 54 of this Law shall be carried out by the State Educational Inspectorate.
5. PROVISIONS ON MISDEMEANOURS

 Article 101

1. A fine in the amount of 800 to 1,000 euros in denars shall be levied for the offense of the legal entity that fails to act in accordance with Articles 41, 45, 46, 47, 48, 49, 50, 51, 54 and 55 paragraphs ( 2) and (4), 57 paragraph (1), 59 paragraphs (1), (3), (5) and (6), 73 paragraph (1), 75, 78, 79 and 80 paragraphs (1) and ( 2) of this Law.
2. A fine in the amount of 100 to 500 Euros in denar equivalent shall be imposed on the managing person in the legal entity for the violations from paragraph (1) of this Article.
3. A fine in the amount of 50 to 250 euros in denars equivalent value shall be imposed on the officials for the offenses from paragraph (1) of this Article.

Article 102

(1) For the offenses determined in Article 101 of this Law, the competent inspector, before submitting a request for initiation of criminal proceedings, shall offer a settlement procedure to the responsible person or a person authorized by him by issuing a misdemeanour payment order in accordance with the Law on Misdemeanours.

1. When the perpetrator of the offense agrees to the settlement procedure, the inspector shall produce a report and issue a misdemeanour payment order to the responsible person or a person authorized by him.
2. The minutes and the payment order shall be signed by the inspector and the offender. After receiving the misdemeanour payment order, the offender shall pay the fine imposed in the misdemeanour payment order within eight days from the day of receipt of the misdemeanour payment order.
3. When an offender is a legal person, the minutes and the misdemeanour payment order shall be signed by the responsible person, or a person authorized by him.
4. The offender who pays the fine within the term of paragraph (3) of this Article shall pay only half of the imposed fine as advised in the reference to a remedy.
5. If the offender fails to pay the fine within the term of paragraph (3) of this Article, the inspector shall submit a request for initiation of misdemeanour proceedings to the competent authority.
6. In the settlement procedure, the fine in the misdemeanour payment order shall be levied in a fixed amount prescribed by law, and if the fine is prescribed in a range, the minimum prescribed amount for the violation shall be imposed.
7. In the procedure that will end with the payment of a misdemeanour payment order, the costs of the procedure are not paid.
8. When an offender challenges the issuance of a misdemeanour payment order, it shall be noted in the record of the misdemeanour, and the inspector shall file an application for initiation of misdemeanour proceedings before the competent court.

Article 103

The calculation of the amount of the fine for legal entities shall be carried out in accordance with the Law on Misdemeanours.

Article 104

A misdemeanour procedure shall be conducted, and misdemeanour sanctions shall be imposed by a competent court for the offenses from Article 101 of this Law.

1. TRANSITIONAL AND FINAL PROVISIONS

 Article 105

The National Coordinating Body from Article 15 of this Law shall be established within three months from the date of entry into force of this Law.

Article 106

Procedures that have been initiated up to the date of application of this Law shall end in accordance with the provisions of this Law.

Article 107

Laws that contain provisions related to the prevention and protection of violence against women and domestic violence shall comply with this Law within six months from the date of entry into force of this Law.

Article 108

Secondary legislation provided by this Law shall be adopted within three months from the date of entry into force of this Law.

Article 109

The Law on Prevention, Combating and Protection against Domestic Violence ("Official Gazette of the Republic of Macedonia" number 138/14, 33/15 and 150/15) shall cease to be valid on the day of the commencement of the application of this Law.

Article 110

The term of the President and the Members of the National Coordinating Body for the Prevention and Protection of Domestic Violence shall end on the day of commencement of the application of this Law.

Article 111

The provisions of Article 20 point 2) and Article 87 paragraphs (2) and (3) of this Law shall begin to be applied within two years from the date of entry into force of this Law.

Article 112

This Law shall enter into force on the eighth day from the date of its publication in the "Official Gazette of the Republic of North Macedonia", and its application shall begin three months following the date of entry into force.