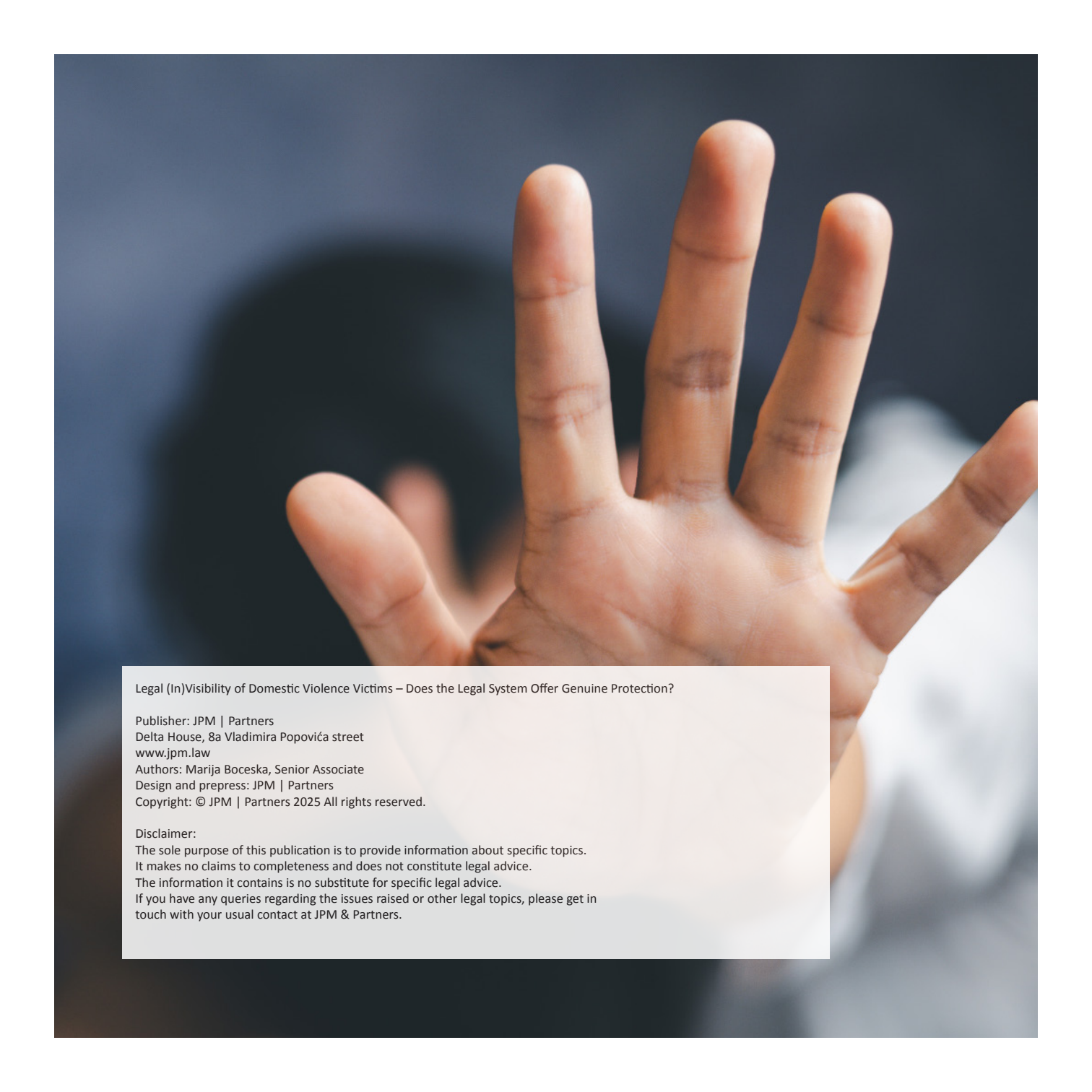




**Legal (In)Visibility of Domestic Violence Victims –  
Does the Legal System Offer Genuine Protection?**

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## Legal (In)Visibility of Domestic Violence Victims – Does the Legal System Offer Genuine Protection?

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October is recognized globally as Domestic Violence Awareness Month—a time to acknowledge and raise awareness about the prevalence and impact of domestic violence on individuals, families, and communities. First declared in 1989 as National Domestic Violence Awareness Month, October is a call to speak out, take action, and reflect on both the legal commitments and the institutional responsibilities that the Republic of North Macedonia has undertaken—and, crucially, what has or has not been effectively implemented.

# A Step in the Right Direction – The Ratification

In 2011, the Republic of North Macedonia signed, and in 2018 ratified, the Istanbul Convention—the first legally binding international treaty that defines violence against women and domestic violence as a form of discrimination and a violation of human rights.

By ratifying the Convention, the state committed to adopting legislative and other measures to ensure a legal, institutional, and organizational framework for the prevention of violence against women, protection of victims, and prosecution of perpetrators. The Convention, once ratified, becomes part of the domestic legal order, thus requiring the alignment of national laws and institutional structures with its provisions.

# The Legal Framework: Comprehensive, Systemic, Transformative

As a result, in 2021, the Law on Prevention and Protection from Violence against Women and Domestic Violence was adopted. This law introduced several groundbreaking reforms:

- Recognition of various forms of violence: including physical, psychological, sexual abuse, economic exploitation, and stalking.
- Mandatory institutional coordination: through a multisectoral approach involving various ministries such as Interior Affairs and Labor & Social Policy along with health services and educational institutions.
- Obligations for institutions: mandating them to take necessary legislative, administrative, judicial actions aimed at preventing violence while ensuring protection for victims.
- Provision of specialized support services: encompassing shelters, psychotherapy (both individual/group), psychosocial counseling services, free legal assistance, and security provisions.
- Preventive measures: through education initiatives along with public awareness campaigns.

Introduction of protective measures: requiring courts to issue orders within 24 hours upon request. The holistic nature of this law is rooted in its philosophical alignment with the Istanbul Convention's premise that violence against women is fundamentally a societal issue rather than merely a private concern.

# Institutional Responsibility

Every reported incident must be handled with urgency by trained professionals through coordinated efforts among multidisciplinary teams consisting of social workers, police officers, healthcare providers, educators, and judicial representatives who adopt tailored approaches for each victim. The state bears an obligation to act rather than having discretion.

# Risk Assessment and Immediate Measures

Institutions are legally mandated to perform immediate risk assessments upon receiving reports to determine necessary protective actions (such as providing shelter or legal safeguards). Courts are required to issue temporary protective measures swiftly—within 24 hours—including restraining orders or mandates for abuser rehabilitation programs.

## Preventive Obligations for Institutions

The Ministry of Education needs to incorporate gender equality principles into school curricula while healthcare workers must receive training from the Ministry of Health to identify signs of abuse effectively. Public Prosecutors are urged to initiate investigations proactively even without formal complaints from victims.

## State-Funded Services & Specialized Support

The establishment includes state-funded services such as round-the-clock SOS helplines alongside shelters offering counseling services along with free legal assistance—ensuring these resources remain accessible without charge while respecting cultural contexts.

# Monitoring & Reporting Mechanism

A National Coordinating Body was formed tasked with overseeing compliance with legal frameworks while proposing enhancements; coordinating preventive actions; monitoring adherence to both national policies on gender-based violence; analyzing trends related to domestic incidents.





# But Reality Reveals Discrepancies: What Isn't Working?

Despite having a well-defined legal framework , practical application often falls short:

- Victims frequently hesitate to report incidents.
- Institutional responses may lack promptness.
- Collaboration among police forces , social services ,and prosecution can be disjointed.
- Shelters suffer from inadequate funding leading to shortages in availability.
- Access remains limited concerning free legal aid for marginalized groups.

Although serious penalties exist within criminal statutes aimed at offenders , they do little effectively deter further violent acts . Recidivism rates remain alarmingly high indicating deep-rooted systemic issues difficult for legislation alone to rectify. This “capacity gap” within criminal justice results in practical impunity where offenders evade accountability leaving victims vulnerable.

Without stronger preventive strategies , educational outreach ,and enhanced support systems , existing sanctions risk becoming mere symbolic gestures unable adequately address trauma resulting from domestic violence .

# Statistics: A Reflection on (In)Visibility

According to data from both the Ministry of Social Policy alongside civil society organizations :

- In 2023 alone more than 1 ,400 instances were officially documented .
- Women comprised approximately 85%of those affected .
- Only one out every five victims sought court-provided legal protections .
- Over sixty percent reported insufficient institutional backing .

## Conclusion: Framework Exists

- Legislation is established.
- The Convention has been ratified.
- Mechanisms have been outlined.

However... Victims continue fearing repercussions when speaking up . Institutional responses are often delayed . Violence persists quietly amid bureaucratic inertia . “Merely condemning violence isn’t sufficient—we must actively prevent it through time-tested systems complemented by robust laws.”

Respecting commitments under Istanbul Convention transcends mere ratification—it’s gauged by lives saved , protections afforded ,and whether we cultivate an environment enabling women’s freedom from fear .

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