



**When Violence Leaves No Visible Bruises:
The Legal Recognition of Psychological Domestic Violence**

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Delta House, 8a Vladimira Popovića street

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Authors: Marija Boceska, Senior Associate

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Domestic violence-The first association is physical injury — bruises, broken bones, visible marks. But violence most often begins much earlier, quietly and unnoticed: with insults, threats, humiliation, control, isolation, and constant fear.

For years, psychological violence was the hardest form to prove. The absence of physical evidence created the false perception that “real” violence didn’t exist. But with the amendments to the Criminal Code, aligned with the Istanbul Convention, legislation took a step forward — violence is no longer measured only by visible injuries, but also by the consequences it leaves on a victim’s mental health and dignity.

Still, the law alone is not enough. With physical violence, the evidence is visible — but that is not the case with psychological violence. There, the evidence is invisible: it takes the form of control, isolation, and financial dependency. It leaves no bruises, but it leaves consequences that often last longer than physical injuries, accompanied by a loss of self-confidence, a loss of the sense of safety, and a loss of the belief that one has the right to a life without fear.

As a result, the greatest burden of proof falls almost entirely on the lawyer. It is the lawyer who must build a case from electronic correspondence, testimonies, and psychological assessments, within a system where judges still most often look for physical traces, where they look for physical evidence. The lawyer’s role here is not only representation — it also comes down to educating institutions about something the law still does not define precisely enough.

Legal Background

North Macedonia ratified the Istanbul Convention in 2018, with an obligation to recognize psychological violence as a form just as serious as physical assault.

A step forward is also seen in the amendments to the Criminal Code, under which “bodily injury” in cases of domestic violence is now prosecuted *ex officio*, rather than upon the victim’s own complaint — a change victims’ lawyers had pushed for over the years, because victims, out of fear and under pressure, would withdraw their complaints. In 2024–2026 alone, 798 out of 1,715 proceedings were discontinued precisely because the complaint was withdrawn. The second significant amendment, Article 152-a on the misuse of another person’s recording or photograph, is a response to the digital age, in which recordings and photographs are used as tools of blackmail for psychological control.

The European Convention on Human Rights is also significant — another tool in the lawyer’s hands, an argument in a submission, an appeal, or a court petition, one that shows the judge that the question “is this even violence” has already been answered at the European level.

The case law of the European Court of Human Rights offers what domestic law still doesn’t sufficiently provide: recognized standards that psychological violence can constitute inhuman or degrading treatment (Article 3), or a violation of the right to private and family life (Article 8).

The Role of Lawyers

To insist that the absence of a bruise does not mean the absence of harm; to recognize psychological violence where the client herself may not know how to name it; to document it in a way that holds up in court.

Violence doesn't begin with the first blow — it begins with the first threat, the first humiliation, the first fear that goes unnoticed.

Precisely because of this, it is not only lawyers, but society as a whole together — that carries this burden on the victim's behalf, recognizing what cannot be seen.

Author



Marija Boceska

Senior Associate

E: marija.boceska@jpm.law

JPM | Partners

38/1-2, Leninova street

1000 Skopje

North Macedonia

T: +389 | 2 | 316-2222

E: office.mk@jpm.law

www.jpm.law