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THE STATE OF ART IN VICTIMOLOGY IN THE REPUBLIC OF MACEDONIA

Abstract

The article provides a general picture on the state of art of victimology in the country, as well as short analyses of the victim-related data from official statistics on victimisation as well as data from victim surveys. Mostly the authors refer to the data and research findings on victimisation of several governmental and NGO key actors involved in victim protection. The authors present data on specific groups of victims. Also, the authors give a brief overview of cases with violation of victims' rights, such as the Cases of the Special prosecution office (SJO), Kumanovo clashes in "Divo Naselje" and the Violent attack in the Macedonian Parliament (`Bloody Thursday`). The authors of the article conclude that victimology is a relatively neglected area of criminology in the country. The data are pretty scarce, so there is a need for improvements in terms of conducting surveys on victims, their rights, support and protection, etc.

Key words: victimology, victimisation, victims, victim protection, victim surveys.

I. INTRODUCTION

In the Republic of Macedonia, mostly, victimology is studied as a part of criminology, criminal law and criminal procedure, which is a theoretical limitation since victimology and research in victimology has a great significance. It is almost impossible to explain the aetiology of crime and delinquency without the victim of the crime. The criminological approach to victimology, determines its subject within the study of the victim of the criminal act from the aspect of explaining its contribution and influence on the phenomenology and the aetiology of crime and delinquency. According to the narrower understanding of the subject of victimology, the subject of victimology is the victim of crime and delinquency. It is of particular importance to determine the causes that lead to victimization for setting up a concept of prevention. The evaluation of the victim's contribution to the criminal act is important to make the right choice and the height of the criminal sanction to be imposed to the perpetrator, but on the other hand, to provide a higher level of protection of the victim from crime and delinquency. Also, study and research in victimology have great importance in organizing, setting up, upbringing and preparing citizens to protect themselves from the risk of becoming victims of crime, and society to act in the prevention plan.¹

In the following text the authors give a brief overview of the current state of victimology in the country. Also, the authors refer to the data and research findings on victimisation of several governmental and NGO key actors involved in victim protection, as well as to specific cases with violation of victims' rights.

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¹ Arnaudovski, Lj. (2013) "Kriminologija", Skopje: 2 Avgust S Shtip.

II. CURRENT STATE OF VICTIMOLOGY IN THE COUNTRY

At the firstly rated university in the country, the Ss. Cyril and Methodius University, Faculty of Law "Iustinianus Primus" in Skopje, Institute of Criminal Law, Department of Criminology and Penology, issues related to victims of crime are studied within criminology, criminal law, criminal procedure, justice for children. But, in the past, before the amendments of the curriculum of the Faculty, victimology was studied at the fourth year, eight semester at the Faculty. The main topics that were studied within the subject were: the term, subject and task of victimology; historical development of victimology; the concept of victim and types of victims; risk of victimization and victimization factors; victim-dogmatics; intensified protection of certain categories of victims; the contribution of the victim to certain types of criminal offenses; the role of the victim in the perpetration of criminal offenses (violent crimes, sexual offenses, traffic offences, property crime); perspectives on victimology. The authors of this paper have made an effort to bring back victimology as a subject in the curriculum of the Master studies in criminal law at the Faculty for the academic year 2018/19. At the second rated University of "St.Kliment Ohridski" in Bitola, Faculty of Security, victimology is studied at the study program Criminalistics, third year, fifth semester.² It is worth mentioning that professors from both of the universities collaborated in conducting the research "Students Views on the Police in the Republic of Macedonia".³

Articles on victimology can be found in several journals in the country, such as, the *Macedonian Journal for Criminal law and Criminology*,⁴ *Iustinianus Primus Law Review*,⁵ etc.

In the country there are *several governmental and NGO key actors* involved in victim protection.

It is worth mentioning the analysis and the statistics of the *Ministry of Internal Affairs*. They give "Survey Analysis on Total Crime by Sectors in the Period from 2010 to 2016 in the Republic of Macedonia",⁶ "Review of Victims of Domestic Violence for 2017" according to sex and relative links,⁷ etc. Also, in regards to the victimological aspects of the migrant and refugee crisis certain data can be provided by the Sector for Border Affairs and Migration.⁸

Another relevant actor in terms of victimology is the *National Commission for Combating Trafficking in Human Beings and Illegal Migration.*⁹ A Decision on the establishment of the National Commission was adopted in March 2001. In accordance with

² The subject Victimology teaches Prof. Dr. Oliver Bačanović. Oliver Bačanović is recognazible in the country for his work in the field of victimology. For more see: <u>http://www.fb.uklo.edu.mk/EN/CVEN/CV.Oliver.pdf</u>. We should mention his work along with his younger college on "Victimization in penal institutions", "Victimization of prison employees and difficulties in their work", "Victimization and substance abuse among young people: Results of the ISRD-3 survey (International Survey of Self-Announcement of Juvenile Delinquency)", "Migrant and refugee crisis - Victimological aspects", all of which presented at the conferences of the Victimology Society of Serbia. <u>http://www.vds.rs/index.html</u>. (Accessed: 21.2.2018).

³ Buzarovska, Gordana, Bacanovic, Oliver, Kalajdziev, Gordan, Gruevska-Drakulevski, Aleksandra, Misoski, Boban, Gogov, Bogdanco, Ilic, Divna and Jovanova, Natasa (2014) "Students Views on the Police in the Republic of Macedonia", Varstvoslovje, Journal of Criminal Justice and Security, Special Issue: Trust and Legitimacy in Policing and Criminal Justice, year 16, number 2014/4, ISSN 2232-2981 (online), ISSN 1580-0253 (print). <u>https://www.fvv.um.si/rV/arhiv/2014-4/03_Buzarovska_et_al.pdf</u>. (Accessed: 21.2.2018).

⁴ <u>www.journal.maclcm.mk</u>. (Accessed: 21.2.2018).

⁵ <u>http://lawreview.pf.ukim.edu.mk/</u>. (Accessed: 21.2.2018).

⁶ <u>http://www.mvr.gov.mk/analiza/kriminal/31</u>. (Accessed: 21.2.2018).

⁷ <u>http://www.mvr.gov.mk/Upload/Editor_Upload/semejno%20nasilstvo.pdf</u>. (Accessed: 21.2.2018).

⁸ <u>http://www.mvr.gov.mk/profilepage/sektor-za-granichni-raboti-i-migracii</u>. (Accessed: 21.2.2018).

⁹ <u>http://nacionalnakomisija.gov.mk/en/</u>. (Accessed: 21.2.2018).

this Decision, the Government adopted a Decision on the appointment of a *National Coordinator* and members of the National Commission. In 2003, in order to more efficiently carry out the activities of the Commission, the Secretariat of the Commission and the Subgroup for Combating Trafficking in Children was established. The Commission has published many publications and conducted studies within has a study on the right to a compensation of a victim of a trafficking in human being.¹⁰

Relevant data on victims can be obtained from the *Institute for Social Activities*.¹¹ They have published *Standards and Procedures of the Centres of Social Affairs*,¹² and *Statistical Data on Domestic Violence*¹³ (for victims and for perpetrators). Also, data on certain types of victims can be obtained from the *Centres for Social Affairs*. Another governmental actor is the *Ministry of Labour and Social Policy*,¹⁴ within there is a *Sector for Child Protection* and *Sector for inspection supervision over the application of legal and other regulations in the field of social protection and child protection*. Also, within the *National Mechanism for Referral to Victims of Human Trafficking*, A *Program for Assistance and Support for Reintegration of Victims of Trafficking* (2014),¹⁶ Standard Operating *Procedures for Treatment of Victims of Trafficking in Human Beings* (2010),¹⁷ *Analysis: children on the street and organized begging* (2007),¹⁸ *Public Opinion Research in the Republic of Macedonia topic "Trafficking in human beings"* (2008).¹⁹.

The State Statistical Office of the Republic of Macedonia²⁰ publishes each year Statistical Review: Population and Social Statistics, Perpetrators of Criminal Offences,²¹ in which they have presented statistical data on reported, accused and convicted adult and child perpetrators of crimes, as well as comparable data for the period of the past ten years. The last statistical review is for 2016 and comparable data for the period 2007-2016. But this review does not collect and present statistical data on victims of crime. This is a great limitation regarding conducting relevant research in the field of victimology. In the near future the government authorities should make an effort to collect and publish data on victims of crime since it is a very important issue.

Regarding victims of crime of great importance is the "*News Release: Violent Deaths in the Republic of Macedonia, published each year*".²² The data refer to violent deaths in the Republic of Macedonia in terms of "accidents", "suicides" and "homicides", by sex and age.

Next, the State Statistical Office of the Republic of Macedonia published "*Statistical Review: Social Welfare for Children, Juveniles and Adults*" for each year (the first one is for 2008 and the last one for 2016), that contains data on the rights of social welfare for juvenile

¹⁰ <u>http://nacionalnakomisija.gov.mk/mk/%D1%81%D1%82%D1%83%D0%B4%D0%B8%D0%B8-%D0%B8-%D0%B8-%D0%B8%D1%81%D1%82%D1%80%D0%B0%D0%B6%D1%83%D0%B2%D0%B0%D1%9A%D0%B0/.</u>

¹¹ <u>http://zsd.gov.mk/</u>. (Accessed: 21.2.2018).

¹² <u>http://www.mtsp.gov.mk/content/pdf/standardi%20%20FINAL.pdf</u>. (Accessed: 21.2.2018).

 $[\]frac{http://zsd.gov.mk/\%\,D1\%\,81\%\,D1\%\,82\%\,D0\%\,B0\%\,D1\%\,82\%\,D0\%\,B8\%\,D1\%\,81\%\,D1\%\,82\%\,D0\%\,B8\%\,D1\%\,87\%\,D0}{\%\,BA\%\,D0\%\,B8\%\,D0\%\,BF\%\,D0\%\,BE\%\,D0\%\,B4\%\,D0\%\,B0\%\,D1\%\,82\%\,D0\%\,BE\%\,D1\%\,86\%\,D0\%\,B8}$

 $[\]underline{\%D0\%B7\%D0\%B0-\%D1\%81\%D0\%B5\%D0\%BC\%D0\%B5\%D1\%98\%D0\%BD\%D0\%BE-}$

<u>%D0%BD%D0%B0%D1%81%D0%B8-2/</u>. (Accessed: 21.2.2018).

¹⁴ <u>http://www.mtsp.gov.mk/pocetna.nspx</u>. (Accessed: 21.2.2018).

¹⁵ <u>http://www.mtsp.gov.mk/content/pdf/Programa_reintegracija_lica.pdf</u>. (Accessed: 21.2.2018).

¹⁶ http://www.mtsp.gov.mk/content/pdf/Indikatori_trgovija.pdf. (Accessed: 21.2.2018).

¹⁷ http://www.mtsp.gov.mk/content/pdf/operativni_eng.pdf. (Accessed: 21.2.2018).

¹⁸ <u>http://www.mtsp.gov.mk/WBStorage/Files/Analiza %20Deca ulica.pdf</u>. (Accessed: 21.2.2018).

¹⁹ http://www.mtsp.gov.mk/WBStorage/Files/NMU%20anketamk%20[1].pdf. (Accessed: 21.2.2018).

²⁰ <u>http://www.stat.gov.mk</u>. (Accessed: 21.2.2018).

²¹ <u>http://www.stat.gov.mk/PublikaciiPoOblast.aspx?id=43</u>. (Accessed: 21.2.2018).

²² <u>http://www.stat.gov.mk/PrikaziSoopstenie.aspx?rbrtxt=12</u>. (Accessed: 21.2.2018).

and adult recipients; data on institutions for children lacking parental care; institutions for care of persons with disabilities; institutions for children and juveniles with educational and social difficulties and disorderly conduct; institutions for adults; trade companies for employment of disabled persons; and data on inter-municipal centres for social work. This Review also presents data on children's allowances, as well as, data on parental allowances for children.²³

Another relevant institution regarding victimology issues is the *Ombudsman of the Republic of Macedonia*.²⁴ Within the scope of its activities is the protection of the rights of the victims, as well, particularly, victims of domestic violence, particularly women and children; trafficking in humans and particularly children; migrants and refugees; victims of discrimination; protection and support of victims of torture; protection of children victims of physical, psychological and sexual harassment; etc. The Ombudsman publishes *Annual Reports on the degree of provision, respect, advancement and protection of human rights and freedoms*, as well as and *Special Reports* in many fields of work.²⁵

Within the Ombudsman there is a *Department for Protection of children rights* with the aim to more actively and widely get involved into the protection of all the children's rights.²⁶

Not to forget to emphasize the role of the *National Preventive Mechanism (NPM)*. The National Preventive Mechanism (NPM) in line with the obligations arising from the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is a national body set to regularly examine the treatment of the persons deprived of their liberty in places of detention, with a view to strengthening, if necessary, their protection against torture and other cruel, inhuman or degrading treatment or punishment; to make recommendations to the relevant authorities with the aim of improving the treatment and the conditions of the persons deprived of their liberty and to prevent torture and other cruel, inhuman or degrading treatment or punishment, taking into consideration the relevant norms of the United Nations; as well as to submit proposals and observations concerning existing or draft legislation.²⁷

Of particular importance for the protection of human rights and freedoms is the mission of *The Helsinki Committee for Human Rights of the Republic of Macedonia (MHC)*. MHC is an NGO for promoting and protecting human rights with no political and religious orientation.²⁸ MHC has implemented many projects,²⁹ released numerous reports,³⁰ conducted many special analysis,³¹ and published many publications.³²

²³ <u>http://www.stat.gov.mk/Publikacii/2.4.17.11.pdf</u>. The State Statistical Office makes efforts, by extending the content of the forms, to enable the collection of as much data as possible, necessary for the country and the international institutions, as well as to ensure greater data comparability at the international level. We expect that this publication will fulfil its main purpose of providing users with basic data on institutions for social protection of children, juveniles and adults and data on homes for pupils and students. (Accessed: 21.2.2018). ²⁴ http://ombudsman.mk/EN/ombudsman_work/field_of_work.aspx. (Accessed: 21.2.2018).

²⁵ http://ombudsman.mk/EN/ombudsman_work/special_reports.aspx. (Accessed: 21.2.2018).

²⁶ <u>http://ombudsman.mk/EN/protection of children rights/department for protection of children rights.aspx</u>. (Accessed: 21.2.2018).

²⁷ http://ombudsman.mk/EN/national_preventive_mechanism/npm_in_rm.aspx. (Accessed: 21.2.2018).

²⁸ <u>http://mhc.org.mk/pages/organization?locale=en</u>. MHC mission is to protect and promote human rights and freedoms guaranteed with the Constitution of the Republic of Macedonia and the international instruments for civil and political, social, economic and cultural rights as well as the 1975 Helsinki Final Document; building democratic conditions in which they can be exercised based on the rule of law. MHC monitors the situation with human rights, provides legal aid to citizens in cases of violation or limitation of their rights and freedoms, and cooperates with other organisations and public institutions for the purpose of promotion, respect and protection of human rights and freedoms. Vision. MHC sets of from the position that all people should have an opportunity to enjoy their fundamental rights and freedoms and to have an opportunity to protect them in case of their

Another NGO is the *IOM Mission in Skopje* that was established in 1999 and with the purpose to assist the country in the implementation of the Stabilization and Association Agreement, with particular emphasis on migration management. Since then, IOM Skopje activities have expanded to address a variety of pressing migration related issues including trafficking in human beings, technical cooperation and institutional capacity building in the field of migration, Voluntary Return and Reintegration Programmes, Economic stabilization programmes etc. IOM's strategy takes into consideration the EU membership process and the need for progressive alignment with the EU migration acquis as one of the main driving element of its activities.³³ IOM Mission in Skopje has several publications in the field of migration and human trafficking.³⁴

Activities on protecting and supporting victims conducts the *Macedonian Red Cross* on a regular basis.³⁵

Open Gate Association for action against violence and trafficking in human beings can be traced to the year 2000, when a group of women enthusiasts their concern for the growing crime of human trafficking in Macedonia, and decided to help prevent this crime by establishing the organization. The very same year, open Gate was registered as an independent, critically oriented, non-political, nongovernment and non-profit organization, ready to promote human rights and represent the needs and interests of high-risk persons and victims of violence or human trafficking. Open Gate is fully leaded by its mission, which is set out in the Strategic Program (2012-2015) as well as according to its established approach to the target group and other policies.³⁶ Open Gate is a member of *La Strada International* The International La Strada Association (La Strada International/LSI) is a leading European NGO network that works to ensure a world without trafficking in human beings by promoting respect for human rights. From their work we shall highlight the following publications: "Monitoring and Evaluation of anti-trafficking policies: A handbook for victims" advocates",³⁷ "Trafficking in Persons and the Media Guidebook for Journalists",³⁸ "Handbook for Preventive Lessons in Human Trafficking",³⁹ "Manuel on the Work of the Sos *Line*",⁴⁰ as well as the *Annual Reports*.⁴¹

The Association for Emancipation, Solidarity and Equality of Women – ESE has developed and assisted female and civil leadership for development and implementation of human rights and social justice in our society.⁴² ESE driving force is its commitment to solving the problems. By promoting and improving human rights ESE improve social and economic justice, having in mind that human rights are an inseparable collection of standards

violation or limitation. This is the basis for democratic development and a guarantee of peace on national, regional and global level. (Accessed: 21.2.2018).

²⁹ <u>http://mhc.org.mk/pages/projects?locale=en#.WosojYPwbIU</u>. (Accessed: 21.2.2018).

³⁰ <u>http://mhc.org.mk/pages/reports?locale=en#.WosoxIPwbIU</u>. (Accessed: 21.2.2018).

³¹ http://mhc.org.mk/pages/analysis?locale=en#.Woso44PwbIU. (Accessed: 21.2.2018).

³² http://mhc.org.mk/pages/publications?locale=en#.WospGYPwbIU. (Accessed: 21.2.2018).

³³ <u>http://iomskopje.org/home/</u>. (Accessed: 21.2.2018).

³⁴ <u>http://iomskopje.org/publications/</u>. (Accessed: 21.2.2018).

³⁵ <u>http://ckrm.org.mk/en/home/</u>. (Accessed: 21.2.2018).

³⁶ <u>http://www.lastrada.org.mk/index.php/welcome_en/index</u>. (Accessed: 21.2.2018).

 ³⁷ <u>http://www.lastrada.org.mk/mainarchive/monitoring%20handbook%20SRB-ENG.pdf</u>. (Accessed: 21.2.2018).
³⁸ <u>http://www.lastrada.org.mk/mainarchive/Guidebook%20THB%20and%20the%20media%20ENG.pdf</u>.

⁽Accessed: 21.2.2018). ³⁹ http://www.lastrada.org.mk/mainarchive/Priracnik%20za%20kontrola%20201107.pdf, (Accessed: 21.2.2018).

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http://www.lastrada.org.mk/mainarchive/Manuel%20on%20the%20work%20of%20the%20sos%20line%20eng. pdf. (Accessed: 21.2.2018).

⁴¹ <u>http://www.lastrada.org.mk/index.php/welcome_en/godisnici</u>. (Accessed: 21.2.2018).

⁴² <u>http://www.esem.org.mk/en/index.php/aboutus.html</u>. (Accessed: 21.2.2018).

to be enjoyed by all. ESE are particularly devoted to working in the field of promotion and improvement of health rights and the rights of women. Therefore, they are focused on two goals – to meet urgent needs of citizens, particularly of vulnerable groups, and to influence the creation of sustainable and long-term changes. They do much more than documenting, reporting and condemnation for the done injustices. They provide legal and paralegal assistance, allowing citizens to fulfil their rights and change conditions they live in. Moreover, they advocate for change of legislation and policies that impact the implementation of health rights and the right of women. They advocate at national, but also at international level. They prepare and submit 'shadow reports' and other types of documents to the responsible international bodies about the degree of the implementation of international documents on human rights.

From the latest publications published by ESE it is worth emphasizing the following: "Findings Regarding the Court Monitoring Conducted in Terms of Cases of Violence Against Women",⁴³ "Analysis of the legal framework and institutional response to violence against women",⁴⁴ "Did the UN Joint Program and UN Trust Fund contribute to implementation of the National Strategy for Protection Against Domestic Violence 2008-2011?",⁴⁵ "Overview of Court Cases Related to Violations of Labour Rights, With a Focus on Cases of Discrimination And Harassment in the Workplace",⁴⁶ "An Overview of Monitored Court Procedures For Violence Against Women",⁴⁷ "Overview of the Legal Protection of the Victims From the Employment of the Workplace",⁴⁸ "A Guide to the Protection of Victims of Human Trafficking",⁴⁹ "A Guide to Protect Sex Workers from Violence",⁵⁰ "A Guide to Victims of Domestic Violence".⁵¹ Another numerous publication can be found on their web.⁵²

National Network to End Violence against Women and Domestic Violence "Voice against Violence" was formed on December 7, 2010, by 20 civil society organizations dealing with the issue of violence against women and domestic violence, working in the field of prevention and protection from violence against women.⁵³ They prepared "Monitoring Report of the implementation of the Law on prevention, prevention and protection from

⁴³ <u>http://www.esem.org.mk/en/pdf/Publikacii/2017/Findings%20Court%20Monitoring%20_DV.pdf</u>. (Accessed: 21.2.2018).

⁴⁴ <u>http://www.esem.org.mk/en/pdf/Publikacii/2017/Analysis%20of%20the%20legal%20framework.pdf</u>. (Accessed: 21.2.2018).

http://esem.org.mk/pdf/Publikacii/2017/National%20Strategy%20for%20Protection%20Against%20DV%2020 08-2011.pdf. (Accessed: 21.2.2018).

http://www.esem.org.mk/en/pdf/Publikacii/2017/Overview%20of%20court%20cases.pdf. (Accessed: 21.2.2018).

⁴⁷ <u>http://www.esem.org.mk/en/pdf/Publikacii/2016/ESE%20monitoring%20Fact%20Sheet.pdf</u>. (Accessed: 21.2.2018).

⁴⁸ <u>http://www.esem.org.mk/en/pdf/Publikacii/2016/Pregled%20na%20pravnata%20zastita%20-</u> %20voznemiruvanje.pdf. (Accessed: 21.2.2018).

http://www.esem.org.mk/en/pdf/Publikacii/2017/ESE%20Vodic%20za%20trgo%20so%20lugje%20A6%20052_017.pdf. (Accessed: 21.2.2018).

http://www.esem.org.mk/en/pdf/Publikacii/2017/ESE%20Vodic%20za%20sex%20rab%20A6%20052017.pdf. (Accessed: 21.2.2018).

http://www.esem.org.mk/en/pdf/Publikacii/2017/ESE%20Vodic%20za%20sem%20nas%20A6%2005201.pdf. (Accessed: 21.2.2018).

⁵² <u>http://www.esem.org.mk/index.php/biblioteka.html</u>. (Accessed: 21.2.2018).

⁵³ http://www.glasprotivnasilstvo.org.mk/en/about-us/. (Accessed: 21.2.2018).

family violence".⁵⁴ They have many network members for support of women victims of violence.⁵⁵

*The First Children's Embassy in the World "Megjashi" (FCEWM) - Republic of Macedonia*⁵⁶ was founded on the 29th of April 1992 in Skopje. FCEWM is a World Association for protection of children and does not belong to any government or party. Through extensive advocacy and campaigning First Children's Embassy in the World MEGJASHI is helping to bring down the wall of silence concerning children rights, especially related to physical, sexual and economic abuse of children, thereby exposing to the public numerous cases of abuse and directly supporting the establishment of more effective mechanisms for children's personality through the protection of their rights, and through the enrichment of their life with activities that make childhood secure and fruitful. From their publications we select: *"Alternative report about the situation with the rights of the child in the Republic of Macedonia - from children's perspective"*, ⁵⁷ *"Alternative report of the non-governmental organizations to the state reports about the situation with the rights of the child in the Republic of Macedonia"*, ⁵⁸ *"Report on the Realization of Children's Rights in Republic of Macedonia"*, ⁵⁹

Another Organization focused on the protection of the rights of the children is UNICEF.⁶⁰ UNICEF is a leading humanitarian and development agency working globally for the rights of every child. Child rights begin with safe shelter, nutrition, protection from disaster and conflict and traverse the life cycle: pre-natal care for healthy births, clean water and sanitation, health care and education. UNICEF is present in the country since 1993. In cooperation with state institutions, civil society, citizens and leading domestic and international experts UNICEF works towards improving the lives of all children. From their rich publication activities, we emphasize the "Comparative Review of Legislation in the Republic of Macedonia and the Convention on the Rights of the Child" prepared by well-known and well-established professors in the country.⁶¹ Many other publications can be found on their web.⁶²

Also, the work of UNDP in the country is noticeable.⁶³

⁵⁵ <u>MWRC – Shelter center; NCGE; OW Sveti Nikole; Women's Forum - Tetovo; Florens Najtingejl – Kumanovo; Association for Promotion of the Status of Women in Macedonia "Women's Action" - Radovish; Organization of Women of the Municipality of Sveti Nikole; NGO "Prodolzen zivot" – Strumica; Association of Social Workers of the City of Skopje; Association of Albanian Women – Kicevo; Youth Center for Equal Opportunities; Women's Civic Initiative "KLEA" - Bitola; Association for Local Rural Development – Kamenjane; Association of Citizens "SUMNAL"; Organization of Women of the City of Skopje - OZS; Organization of Women "Kumanovka" - Kumanovo; Crisis Center "Hope"; Health Education and Research Association - HERA; Helsinki Committee for Human Rights of the Republic of Macedonia; Association of Citizens "Florence Nightingale" – Kumanovo; Association of Citizens "Sirma" - Kumanovo; Organization of Turkish Women in Macedonia - DERJA; Women's Civic Initiative - ANTICO. (Accessed: 21.2.2018).</u>

⁵⁶ <u>http://www.childrensembassy.org.mk/home.nspx</u>. (Accessed: 21.2.2018).

⁵⁴ <u>http://www.glasprotivnasilstvo.org.mk/wp-content/uploads/2016/12/Monitoring-na-zakon-za-SN_final.pdf</u>. (Accessed: 21.2.2018).

⁵⁷ <u>http://www.childrensembassy.org.mk/WBStorage/Files/Children%27s%20report%20200mm.pdf</u>. (Accessed: 21.2.2018).

⁵⁸ <u>http://www.childrensembassy.org.mk/WBStorage/Files/Alternative%20reports%20-B5%20format.pdf</u>. (Accessed: 21.2.2018).

⁵⁹ <u>http://www.childrensembassy.org.mk/content/pdf/Monitoring%20report%20-%20Megjasi_ENG.pdf</u>. (Accessed: 21.2.2018).

⁶⁰ <u>https://www.unicef.org/tfyrmacedonia/</u>. (Accessed: 21.2.2018).

⁶¹ https://www.unicef.org/tfyrmacedonia/English Full Report 13 WEB(1).pdf. (Accessed: 21.2.2018).

⁶² <u>https://www.unicef.org/tfyrmacedonia/resources.html</u>. (Accessed: 21.2.2018).

⁶³ <u>http://www.mk.undp.org/content/the former yugoslav republic of macedonia/en/home.html</u>. (Accessed: 21.2.2018).

Another organization devoted to protection of victim's rights in the Republic of Macedonia is the *OSCE Mission to Skopje*.⁶⁴ A key priority for the Mission is monitoring and supporting the implementation of the Ohrid Framework Agreement that put an end to the 2001 armed conflict in the country. The Agreement is meant to guarantee the participation of all ethnic communities in political, social and cultural life. It focuses on decentralization, non-discrimination, language and education rights, as well as equitable representation of all citizens. The Mission's mandate additionally covers police and legislative reforms, rule of law and different areas of good governance. The OSCE Mission to Skopje does the following: Arms control, Border management, Combating human trafficking, Conflict prevention and resolution, Countering terrorism, Education, Elections, Gender equality, Good governance, Human rights, Migration, National minority issues, Policing, Roma and Sinti, Rule of law, Tolerance and non-discrimination, Youth. We can conclude that the organization is full filing their mission the Republic of Macedonia.

The United States Department of Justice, Executive Office for Immigration Review, Macedonia, has published the following reports: "Country Reports on Human Rights Practices" (1996, 2008-2016); "Country Reports on Terrorism" (2015), "International Religious Freedom Report" (2005-2016), "Trafficking in Persons Report" (2007, 2016), "Findings on the Worst Forms of Child Labour" (2010-2016), "Former Yugoslav Republic of Macedonia - Human Rights Since 1990" (February 1995), "Country Assessments" - April 2003, October 2002.⁶⁵

Country assessment in the field of the protection of the rights of the victims has prepared *Amnesty International*,⁶⁶ *Human Rights Watch*,⁶⁷ *and Freedom House*.⁶⁸

III. SHORT OVERVIEW OF CASES WITH VIOLATION OF VICTIMS' RIGHTS

Cases of Special prosecution office (SJO) - Due to unauthorized intercepted communications there were allegedly over 20,000 Macedonian citizens as victims of violation of their privacy.⁶⁹ The Ministry of Interior's counterintelligence division without legal authorization, allegedly intercepted the communications of more than 20,000 individuals over a multiyear period.⁷⁰ Such a huge wiretapping scandal with so many victimized citizens was unknown at European soil, so far. Due to reveal of such abuse of power by the governmental power, there were mass anti-government protests in 2015 and 2016. For over a decade Macedonia was under the power of authoritarian and undemocratic political regime, with captured state institutions, selective justice, denied protection of human rights, lack of public trust in institutions, political interference in public administration and the media as well as high-level corruption.⁷¹ There was a widespread

⁶⁴ <u>http://www.osce.org/mission-to-skopje</u>. (Accessed: 21.2.2018).

⁶⁵ https://www.justice.gov/eoir/country/macedonia-topical. (Accessed: 21.2.2018).

⁶⁶ <u>https://www.justice.gov/sites/default/files/pages/attachments/2016/02/25/amnesty-international_2015_full-report.pdf#macedonia</u>. (Accessed: 21.2.2018).

⁶⁷ <u>https://www.justice.gov/sites/default/files/pages/attachments/2016/02/01/hrw 2005 macedonia.pdf</u>. (Accessed: 21.2.2018).

⁶⁸ <u>https://freedomhouse.org/report/freedom-world/2017/macedonia</u>. (Accessed: 21.2.2018).

⁶⁹ <u>https://www.thefreelibrary.com/Zaev+accuses+government+of+wiretapping+over+20%2C000+citizens+for+years.-a0401907289; https://www.nytimes.com/2015/06/22/world/europe/macedonia-government-is-blamed-for-wiretapping-scandal.html. (Accessed 15.2.2018).</u>

⁷⁰ US Macedonia 2016 Human Rights Report, <u>https://www.state.gov/documents/organization/265658.pdf</u>. (Accessed 15.2.2018).

⁷¹ US Macedonia 2016 Human Rights Report, <u>https://www.state.gov/documents/organization/265658.pdf</u>. (Accessed 15.2.2018).

perception in the country that in recent years, decisions were politicised, that the parties had taken ownership of the state, that office holders had conflicts of interest and confused their official mandate with their party/personal agenda.⁷² The authorities failed to demonstrate necessary political will to address effectively the underlying issues as identified in the 'Urgent Reform Priorities'. The obstructions faced by the newly established SJO have shown the need to address effectively the lack of independence of the judiciary and to prevent selective justice.⁷³ Having in mind all above mentioned, the 11 December early parliamentary elections were widely viewed as a crucial test for the functioning of democratic institutions. Since then there is a new governmental power in Macedonia. After political agreement of all relevant political parties, since September 2015 there is a Special prosecution office (SJO) established by the law.⁷⁴ SJO is competent for prosecuting criminal offenses related to and arising from the content of the unauthorized intercepted communications.⁷⁵ Many members of previously ruling party are under investigation (suspected) or are already accused by SJO. ⁷⁶ Among them are the former Prime Minister, several former ministers, high ranking officials from the Ministry of interior as well as former Director of the Security and Intelligence Unit within MOI. There is an investigation about unlawful financing of the political party of the former Prime Minister, too.

Kumanovo clashes in "Divo Naselje" - there were 22 dead persons, out of which 8 police officers and 14 militants, in battles with gunmen on 9 May 2015 in Kumanovo.⁷⁷ The prosecution for organized crime has charged 30 defendants for act of terrorism, jeopardizing constitutional order and security, illegally possessing arms and explosives. After the indictment was approved by the court, the main hearing began on February 9, 2016. The Basic Court Skopje 1 in Skopje on November, 2 2018, convicted 33 people of planning terrorist attacks as members of an ethnic Albanian militant group.⁷⁸ The severe punishments were pronounced by the first instance court.⁷⁹ From the very beginning the whole case was followed by controversies regarding the involvement of high-ranking MOI representatives and real motives for such an armed battle, in the middle of urban and densely populated area, still remain unknown. Namely, the clashes in Kumanovo occurred during a period of deep and most serious political crisis in Macedonia and in the period when, since May 5, 2015 the biggest anti-government protests began. There were allegations for abuse of power by the senior governmental officials and three days after the clashes the Minister of Interior and Director of the Security and Intelligence Unit within MOI had resigned, that was a big

⁷² The Former Yugoslav Republic of Macedonia: Assessment and recommendations of the Senior Experts' Group on systemic Rule of Law issues 2017, Brussels, 14 September 2017 <u>https://ec.europa.eu/neighbourhood-enlargement/_sites/near/files/2017.09.14_seg_report_on_systemic_rol_issues_for_publication.pdf</u>. (Accessed 15.2.2018).

⁷³The Former Yugoslav Republic of Macedonia 2016 Report, <u>https://ec.europa.eu/neighbourhood-enlargement/</u> sites/

<u>near/files/pdf/key documents/2016/20161109 report the former yugoslav republic of macedonia.pdf</u>. (Accessed 15.2.2018).

⁷⁴ Law on Public prosecution office for prosecuting criminal offenses related to and arising from the content of the illegally intercepted communication, Official Gazette of the Republic of Macedonia, No. 159/2015.

⁷⁵ <u>http://en.jonsk.mk/</u>. (Accessed 15.2.2018).

 ⁷⁶ <u>http://en.jonsk.mk/</u>. (Accessed 15.2.2018).
⁷⁷ http://www.balkaninsight.com/en/article/heavy-shootout-di

⁷⁷ <u>http://www.balkaninsight.com/en/article/heavy-shootout-disturbs-macedonian-town; http://www.bbc.com/news/ world-europe-32695909; http://www.abc.net.au/news/2015-05-12/macedonia-charges-30-with-terrorism-after-kumanovo-shooting/6461990. (Accessed 15.2.2018).</u>

⁷⁸ <u>https://www.voanews.com/a/macedonian-court-convicts-thirty-three-people-planning-terroristattacks/4097557. html</u>. (Accessed 15.2.2018).

⁷⁹ Seven accused for the terrorist attack were sentenced to life imprisonment, while 13 defendants were sentenced to 40 years in prison. Five defendants were sentenced to 20 years in prison, two defendants received less, and two defendants received a prison sentence of 14, 13 and 12 years, http://svedok.org.mk/mk/record.php?id=1020. (Accessed 15.2.2018).

surprise bearing in mind the political regime that was in power at that time in Macedonia. Despite the numerous tensions and the dissatisfaction of the citizens, major civil unrests were avoided, although this might have been the motive of the previous political regime in Macedonia for diverting the attention of the citizens from the scandal of mass wiretapping. There were protests in front of the court during the whole trial by the citizens from Albanian ethnicity with allegations that this case is another among other political cases in Macedonia. There were also protests after the judgement was pronounced.

Violent attack in the Macedonian Parliament (`Bloody Thursday`) - on 27 April 2017 (Thursday) there were almost 200 Macedonian nationalists from the movement called "For a common Macedonia" that have break into the Macedonian Parliament.⁸⁰ They were protesting against the election of Talat Xhaferi, a member of ethnic Albanian minority, as a new speaker of the Parliament.⁸¹ The protestants were masked and they threw chairs and punches at journalists and MPs. There were more than 70 injured in the clashes inside and outside parliament.⁸² During the attack the leader of SDSM Zoran Zaev, Radmila Sekerinska from SDSM, as well as the head of the DPA- Movement for reforms, Zijadin Sela, were confirmed to have been injured and received medical treatment.⁸³ Macedonian police fired stun grenades to disperse protesters outside the parliament and clear the way for the evacuation of MPs still in the building.⁸⁴ To the Public prosecution office the police had filed criminal charges against 15 demonstrants suspected of being involved in a violent attack in the Parliament.⁸⁵ Total number of suspected demonstrants is 23. The six MPs are suspected of the crime "Terrorist threat to constitutional order and security" which is punishable with sentence of at least 10 years up to 20 years of imprisonment. The court determined detention for six MPs, the former director of the Bureau of Public Security in the Ministry of interior and several other activists from the movement "For a common Macedonia". Toward some demonstrants the court has determined house arrest. The detention was extended for several months. However, there is no indictment for this event, yet.

IV. DATA AND RESEARCH FINDINGS ON VICTIMISATION

In the Republic of Macedonia, since now, there has not been conducted major national or international victimisation surveys or victimological research projects apart from the research mentioned above. All of the conducted researches were partial, dealing with specific groups of victims, such as, victims of domestic violence, victims of human trafficking and migrants, children victims of physical, psychological and sexual harassment, victims of traffic accidents, etc. Also, there is not any official criminal statistics which focus on the number and socio-demographic characteristics of victims and situational characteristics of victimisation, but some of the particular analysis of specific types of victims gives such data. Also, the official data does not give data on `dark figure` of victims.

⁸⁰ <u>http://libel.iflry.com/2017/05/bloody-thursday-in-the-macedonian-parliament/</u>. (Accessed 15.2.2018).

⁸¹ <u>https://www.nytimes.com/2017/04/27/world/europe/macedonia-parliament-attacked-nationalists.html? r=0</u>. (Accessed 15.2.2018).

^{82 &}lt;u>http://www.telegraph.co.uk/news/2017/04/27/protesters-storm-macedonia-parliament-social-democratic-leader/</u>. (Accessed 15.2.2018).

⁸³ <u>http://www.balkaninsight.com/en/article/macedonia-calms-down-after-parliament-violence-04-27-2017</u>. (Accessed 15.2.2018).

⁸⁴ <u>https://www.reuters.com/article/us-macedonia-politics/macedonian-police-fire-stun-grenades-after-protesters-storm-parliament-idUSKBN17T2RZ; https://www.theguardian.com/world/2017/apr/27/macedonia-protesters-storm-parliament-and-attack-mps.</u> (Accessed 15.2.2018).

⁸⁵ <u>https://www.usnews.com/news/world/articles/2017-04-30/15-charged-in-attack-on-macedonian-parliament-that-hurt-100</u>. (Accessed 15.2.2018).

Next, there is a difference between statistics of the key factors, such as, Ministry of Internal Affairs, Ministry of Labour and Social Politics, State Statistical Office of Macedonia, NGO's, etc. One of the possible argumentation is that the State Statistical Office record perpetrators of crime, and not committed crimes. Namely, the statistical data refers to reported, accused and convicted adult and child perpetrators of crimes.

According to the official statistics in the Republic of Macedonia, if the data on reported, accused and convicted perpetrators of criminal offenses are compared, there is a discrepancy between submitted criminal charges (data closest to the actual (un)detected crime), then accusations (data referring to the Public Prosecutor's policy and the quality of the criminal charges) and the convictions of crime. This is a phenomenon that crime statistics refers as a "loss of criminality" and which graphically can be presented as a "wedding cake". Namely, a person who has been reported as a perpetrator of a criminal offense may not be charged or if accused may not be convicted.⁸⁶

Unfortunately, official statistics do not process data on victims of crime, a data that would be of great importance. Namely, with the development of criminology, especially the aetiology of crime, it is almost impossible to explain the aetiology of crime without the victim of the crime act as an object of interest and its contribution towards the crime.

Further in the text the authors refer to certain data on certain types of victims from the key actors' assessments. For greater visibility, the authors present the most important and reliable data in several subchapters.⁸⁷

The major limitation of all the researches regarding victims of crime are that they do not follow the same methodology for gathering and analysing data, hence, the results are different.

In near future the country should adopt unique methodology for systematic analyses of the victims of crime, in general, and victims of crime in particular, namely, specific types of victims of specific types of crime. We suggest that the official body for gathering and analysing the data should be the State Office of Statistics of the Republic of Macedonia.

In the following text, the authors present data on specific groups of victims.

1. Victims of traffic accidents

The Ministry of Internal Affairs of Macedonia provides statistics for dead and injured in traffic accidents. Regarding the territory distribution, most of the traffic incidents with harmful consequences for the period 2010-2016, were happened on the territory of SVR Skopje, which can be explained by the fact that Skopje is the capital city of Macedonia, with nearly half of the population of the whole country living here. Hence, the city is crowded and therefore the density of the crime is dominant for nearly all types of crime. For more data, see the table below.

Tuble I	Tuble 1. Traffic Incluents with narmful consec						<i>fuences accoraing to 5 v</i> R , 2010-2010							
	20	2010		2010 2011 2012		20)13	2014		2015		2016		
	with dead peopl e	with injure d peopl e	with dead peopl e	with injure d peopl e	with dead peopl e	with injure d peopl e	with dead peopl e	with injure d peopl e	with dead peopl e	with injure d peopl e	with dead peopl e	with injure d peopl e	with dead peopl e	with injure d peopl e

Table 1. Traffic Incidents with harmful consequences according to SVR, 2010-2016

⁸⁶ For more see: *Gruevska Drakulevski, A.* (2016) Imprisonment and Recidivism, Centre for Regional Policy Research and Cooperation Studiorum, Skopje.

⁸⁷ For more see: *Lažetić, Gordana[/] Gruevska Drakulevski, Aleksandra* (2018). "Victimology and Victims Protection in the Republic of Macedonia" (in print).

SVR														
Skopje	37	1899	47	2,035	31	1,725	34	1,718	32	1,646	43	1,633	30	1,650
SVR														
Bitola	15	365	17	396	19	407	36	378	21	362	24	313	22	348
SVR														
Veles	12	232	17	281	12	285	17	312	10	260	9	259	17	269
SVR														
Kumanov														
0	12	363	12	349	11	319	13	322	11	275	14	309	6	297
SVR														
Ohrid	15	293	13	301	13	317	22	330	15	249	16	256	21	266
SVR														
Strumica	15	248	12	290	13	254	13	250	7	224	11	237	18	242
SVR														
Tetovo	12	355	14	358	13	366	17	417	9	429	11	400	21	431
SVR														
Shtip	16	334	16	304	12	311	18	333	10	292	7	312	15	249
	-			Sour		inistry	of Int	ornal /	ffoir	,88				

Source: Ministry of Internal Affairs⁸⁸

According to the data presented in Statistics: Traffic accidents with more severe consequences and casualties by cities in 2017,89 there were total of 155 deaths in traffic accidents, most of the victims were age 41-64 (52), 25-40 (34) and 65 and over (33). 14 of the victims were age 15-19 and 4 of the victims were age 0-14. Most of the victims were passengers in motor vehicles and passengers of other transport means, as well as pedestrians. The data are presented in the table below.

Table 2. Dead people in traffic accidents by age, 2017

	Total	0-14	15-19	20-24	25-40	41-64	65 +
Total	155	4	14	18	34	52	33
Passenger motor vehicle	77	-	9	7	23	29	9
Passengers	44	3	4	9	8	13	7
Pedestrians	34	1	1	2	3	10	17
C	N 4 · ·		СТ (1 1 00	· 90		

Source: Ministry of Internal Affairs⁹⁰

Regarding the injured people in traffic accidents according to age, there were total of 6.224 injured victims. The majority were age 25-40 (1.992), 41-64 (1.717), 20-24 (841), 0-14 (653), 15-19 (592) and 65 and over (429). Most of the injured victims were passengers in motor vehicles and passengers of other transport means. The data are summarised in the table below.

Table 5. Injurea people in trajfic accidents by age, 2017										
	Total	0-14	15-19	20-24	25-40	41-64	65 +			
Total	6.224	653	592	841	1.992	1.717	429			
Passenger motor vehicle	2.861	52	199	403	1.150	910	147			
Passengers	2.443	377	302	384	691	561	128			
Pedestrians	914	223	90	54	148	245	154			

Table 3 Injured people in traffic accidents by age 2017

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https://docs.google.com/spreadsheets/d/13DbLn6WQ288YssjZwhzO6NHw4Kh5_qdWZuN_-6a72ko/edit#gid=1268663980. (Accessed: 25.2.2018). https://docs.google.com/spreadsheets/d/13DbLn6WQ288YssjZwhzO6NHw4Kh5 gdWZuN -6a72ko/edit#gid=472441971. (Accessed: 25.2.2018).

 ⁸⁹ <u>http://www.mvr.gov.mk/analiza/soobrakjaj/57</u>. (Accessed: 25.2.2018).
⁹⁰ <u>http://www.mvr.gov.mk/Upload/Editor_Upload/soobrakaj%20final.pdf</u>. 25.2.2018). (Accessed: https://docs.google.com/spreadsheets/d/13DbLn6WQ288YssjZwhzO6NHw4Kh5 qdWZuN -6a72ko/edit#gid=472441971. (Accessed: 25.2.2018).

Shepard and Cattleman	6	1	1	0	3	1	0			
Source: Ministry of Internal Affairs ⁹¹										

To conclude, the incidence of victims of traffic accidents is relatively high, hence, the authorities of the country should take measures to prevent, and subsequently to reduce the number of traffic accidents with harmful consequences.

2. Children on the street – victims

"We are often witnessing children who beg on their own or together with their parents. We see children walking from table to table in catering facilities, standing at the intersections or sitting on pavements with an outstretched hand begging for charity. We pass by children who play a musical instrument on the street or in public places, families and children seeking financial help by showing various documents about the alleged or real severe health/ social condition they are in. We also encounter children in pre-school or school age, in clothes that are inadequate to the weather and beggars, children in front of the dashboard who beg or clean windows from cars, regardless of weather conditions. We see, pass, comment, but the picture does not change. It is real and present in almost all cities in the Republic of Macedonia."⁹²

The Ombudsman, through the special Department for protection of children's rights, monitors the situation regarding the provision, respect and protection of the constitutional and legal rights of the children, and in this context also monitors the situation with the children on the street. Encouraged by this everyday picture, as well as from the complaints of parents whose children were taken away by the Centre for Social Work, because they were found begging, the Ombudsman, in accordance with the Annual Work Program for 2014, conducted a survey on the situation with the children on street in the Republic of Macedonia. The Ombudsman carried out the survey during the second half of 2014 through a questionnaire that was submitted to all Public institutions, Inter-municipal Centres for Social Work throughout the cities in the Republic of Macedonia. The questionnaire was filled out by 29 inter-municipal centres for social work, with the exception of the YU Inter-municipal Centre for Social Work in Tetovo.

Children on the street are children who spend most of their time on the street. The literature distinguishes between children on the street and street children. Children on the street are children who spend most of their time on the street, but return home usually at night to spend the night. Street children are those children who live on the street all the time and spend the night there.

According to the latest Ombudsman survey, 236 children on the street were registered in 17 centres for social work across the country. Compared with the situation in 2011 there is a decrease in their number, but street children are registered in six new cities. The smallest children on the street are only a few months old and the biggest 18 years old. Out of 236 children, 114 are male and 122 are female. Most of them, 228 are Roma, five Turks, two Macedonians, and one Egyptian. Most of the children on the street, 113, are in Skopje, followed by Bitola, Kumanovo, Veles, Gostivar and Kichevo. Less than 10 children on the street are in Resen, Gevgelija, Vinica, Strumica, Kavadarci, Stip, Negotino and Prilep. Children on the street are mostly from families who belong to a vulnerable and uneducated group of citizens, families' beneficiaries of social protection rights. As noted, recorded

⁹¹ <u>http://www.mvr.gov.mk/Upload/Editor_Upload/soobrakaj%20final.pdf</u>. (Accessed: 25.2.2018).

⁹² Republic of Macedonia, Ombudsman, Information about the Situation of Children on Streets in the Republic of Macedonia Skopje, February 2015 <u>http://ombudsman.mk/upload/documents/2015/Predmetno%20rabotenje-Informacija-Deca%20na%20ulica.pdf</u>. (Accessed: 25.2.2018).

children on the streets that blow glue and are in danger of health. A significant number of children on the street are not covered by the educational process due to lack of appropriate documentation, they are not recorded in the registry of births or their age for enrolment in school is over. Inter-municipal centres for social work in 2013 delivered 56 warnings to parents for improper upbringing and breeding, and from January to August last year 118. In 2013, 12 decisions for permanent supervision were pronounced, and in 2014, 22. Proposed withdrawal of the parental right to the competent court and that the procedure was carried out only by two inter-municipal centres, for two cases in Skopje and one in Kumanovo.⁹³

According to the Law on Social Protection⁹⁴ these children are taken care in daily centres. The daily centre for street children - children on the street provides these children and their family members with personal hygiene, nutrition, educational services, counselling, cultural, entertainment and recreational activities. In the day care centre for street children - children on the street an intervention childcare can be organized for taking measures for their protection, up to 24 hours maximum. Regarding the work of these centres we refer to the Reports of the Ministry of Labour and Social Affairs on the work of the Daily Centres for Children on the Street.⁹⁵

As a conclusion regarding this types of victims, we present the recommendations of the Ombudsman: continuously monitor the appearance of children on the street, improve the manner of keeping records and updating the data by the centres for social work; continuous meetings and work with families of children on the street; Centres for Social Work to take preventive measures to prevent children from risky families from becoming children on the street; take measures to realize all the rights of this category of children on the streets; Greater engagement of the units of local self-government in order to take care of the social problems of the population.⁹⁶

3. Victims of Property Crime

The official data does not have data on victims of property crime, but we can draw some conclusions from the statistics of conducted property crime. As can be seen from the

⁹³ The concluding remarks are as follows: "1. The appearance of children on the streets in the Republic of Macedonia is still present. The records of these children are carried out by the Inter-municipal Centers for Social Work, and the professional teams working with street children need continuous training to strengthen their capacities and professional skills. 2. In 17 Centers for Social Work across the Republic, street children from all age groups were registered, with the most represented children from the Roma ethnic community, and some of them do not have birth certificates. 3. Children on the street most often live with either two or only one parent. The parents of these children are of very low level of education, 20 of them are illiterate, and the existence of the family depends on the payments that mostly come from social financial assistance, parental allowance for a child or special allowance. 4. Not all children are included in the educational process. Some of the children on the street are out of school benches, due to the problem of non-registration in the birth register, or because they exceeded the age for enrollment in the first grade. Many of the children enrolled in the educational process do not attend regular school, and they do not have a peer or mentor support for successful re-socialization. 5. Day care center for children on the street is not in all towns where children are registered on the street, and where there is such a center the capacity is not satisfactory." Republic of Macedonia, Ombudsman, Information about the Situation of Children on Streets in the Republic of Macedonia Skopje, February 2015 http://ombudsman.mk/upload/documents/2015/Predmetno%20rabotenje-Informacii/Informacija-Deca%20na%20ulica.pdf. (Accessed: 25.2.2018).

⁹⁴ Law on social protection ("Official Gazette of the Republic of Macedonia" No. 79/2009 from 24.06.2009, 36/2011, 51/2011).

⁹⁵ <u>http://www.mtsp.gov.mk/voninstitucionalna-zashtita-56c8ab2d-ed7f-4dec-82b1-7b61a3ab4b9f-ns_article-dnevni-centri.nspx</u>. (Accessed: 25.2.2018).

⁹⁶ Republic of Macedonia, Ombudsman, Information about the Situation of Children on Streets in the Republic of Macedonia Skopje, February 2015 <u>http://ombudsman.mk/upload/documents/2015/Predmetno%20rabotenje-Informacija-Deca%20na%20ulica.pdf</u>. (Accessed: 25.2.2018).

table below most of the citizens are victims of burglary and theft. For instance, in 2016 there were 227.4 thefts per 100.000 population and 523.6 burglaries per 100.000 population. Next, there were 11.96 robberies and 1.89 armed robberies per 100.000 population. Also, in 2016 there were 426 cases of seizures of motor vehicle. The data are from the statistics of the Ministry of Internal Affairs.

1 2			,				
	2010	2011	2012	2013	2014	2015	2016
Theft	4,896	5,065	5,663	5,530	4,983	4,931	4,716
Registered perpetrators	2,137	2,127	1,876	1,878	1,974	2,142	2,141
Rate of 100,000 population	223.9	231.6	259	252.9	241.2	238	227.4
Burglary	13,399	14,465	14,985	15,109	13,110	10,432	10,858
Registered perpetrators	7,188	6,949	5,446	5,494	4,492	3,568	4,111
Rate of 100,000 population	612.7	661.4	685.2	690.9	634.6	503.65	523.6
Robbery	604	513	469	468	305	278	248
Registered perpetrators	434	350	355	344	256	290	160
Rate of 100,000 population	27.6	23.4	21.4	21,4,	14.7	13.42	11.96
Armed Robbery	51	43	41	39	49	34	39
Registered perpetrators	61	31	54	53	47	33	47
Rate of 100,000 population	2.33	2	1.9	1.8	2.3	1.64	1.89
Seizure of a motor vehicle	527	487	371	507	542	400	426
Registered perpetrators	424	389	334	343	263	207	207
Rate of 100,000 population	24	22.3	17	23.1	26.2	19.31	20.54
					07		

Table 4. Property Crime in the period, 2010-2016

Source: Ministry of Internal Affairs⁹⁷

It can be concluded that the property crime is the mostly represented type of crime in the country. One phenomenological characteristic of the crime in the Republic of Macedonia is that most of the perpetrators of criminal acts are perpetrators of property crimes, primarily burglaries, thefts, followed by robberies, armed robberies, etc.⁹⁸ Hence, most of the victims are victims of property crime. For instance, in 2016, the rate of thefts was 227.4 per 100.000 population, the rate of burglary -523.6, robbery -11.96, armed robbery -1.89 and seizure of motor vehicles -20.54 per 100.000 population.

4. Victims of violent crime

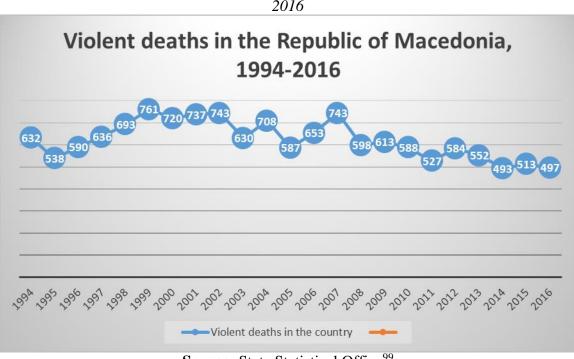
According to the State Statistical Office data, there were 497 violent deaths in the Republic of Macedonia in 2016, which is a decrease of 3.1% compared to the previous year. Violent deaths accounted for 2.4% of the total number of deaths.

The data on violent deaths in the Republic of Macedonia for the period 1994-2016 are presented in the graph below.

97

https://docs.google.com/spreadsheets/d/13DbLn6WQ288YssjZwhzO6NHw4Kh5 gdWZuN -6a72ko/edit#gid=1306419884. (Accessed: 25.2.2018).

⁹⁸ For more see: Gruevska Drakulevski, Aleksandra (2012) "Criminal Policy of the Courts in the Republic of Macedonia in the Period 2007-2011", Macedonian Review for Criminal Law and Criminology, UDK 343, Year 18 and 19, No.1-2, 2011/2012, ISSN 1409-5327, Association for Criminal Law and Criminology", Skopje: 2 Avgust S Stip. (http://journal.maclc.mk/2012/09.pdf). (Accessed: 25.2.2018).



Graph 1. Violent deaths in the Republic of Macedonia, 1994-2016

Source: State Statistical Office⁹⁹

The structure of violent deaths by sex in 2016, as in previous years, shows higher male participation with 76.1%. In the total number of violent deaths, "accidents" ranked first with 71.2%, followed by "suicides" with 25.2% and "homicides" with 3.6%. In the category "accidents", the group "other external causes of accidental injury" was predominant with 26.0%. In the category "suicides", deaths caused by "hanging, strangulation and suffocation" were most frequent with 13.5%. The dominant cause of death in the category "homicides" was "assault by blunt object", making up 1.0% of the total number of violent deaths.^{100/101}

According to the data from the Ministry of Internal Affairs (the data refer to the homicides and bodily injuries, perpetrators and according to the Sector for Internal Affairs (SVR) for the period 2010-2016) it can be concluded that most of the homicides are committed on the territory of SVR Skopje and SVR Kumanovo, and the bodily injuries on the territory of SVR Skopje, SVR Strumica, SVR Shtip, SVR Bitola, SVR Tetovo, SVR Ohrid, etc.¹⁰² Also, it can be concluded that, that the number of homicides in the country are relatively low, namely, for instance, in 2016 it was at 0.96 per 100.000 population and the level of bodily injuries was at 10,9 per 100.000 population.¹⁰³

5. Victims of domestic violence

In the Republic of Macedonia, the problem of domestic violence, and especially violence against women, for a long time did not attract the attention of the social, scientific

⁹⁹ <u>http://www.stat.gov.mk/PrikaziSoopstenie.aspx?rbrtxt=12</u>. (Accessed: 25.2.2018).

¹⁰⁰ <u>http://www.stat.gov.mk/pdf/2017/2.1.17.23.pdf</u>. (Accessed: 25.2.2018).

¹⁰¹ For more see: *Lažetić, Gordana' Gruevska Drakulevski, Aleksandra* (2018). "Victimology and Victims Protection in the Republic of Macedonia" (in print).

¹⁰² <u>https://docs.google.com/spreadsheets/d/13DbLn6WQ288YssjZwhzO6NHw4Kh5_qdWZuN_-</u> <u>6a72ko/edit#gid=472441971</u>. (Accessed: 25.2.2018).

¹⁰³ For more see: *Lažetić, Gordana' Gruevska Drakulevski, Aleksandra* (2018). "Victimology and Victims Protection in the Republic of Macedonia" (in print).

and expert public. This problem has been actualized in 1994 with a delay of at least two and a half decades.¹⁰⁴ In 2004, domestic violence was for the first time incriminated in the Penal Code of the Republic of Macedonia, thus abandoning the view that domestic violence is a private matter, on the contrary, it began to be understood not only as a threat to individual victims, but as a threat to the society as a whole. To date, the phenomenon of domestic violence is the subject of scientific research dedicated to determining the prevalence, dynamics, characteristics of domestic violence and determining the scope, manifestations and risks of domestic violence against women, children and the elderly, such as: *"National Research on Domestic Violence"* (2012),¹⁰⁵ *"Prevalence of the abuse of the elderly"* (2011),¹⁰⁶ *"Neglected and stigmatized"* (2009),¹⁰⁷ *"Life in the Shadow"* (2006),¹⁰⁸ etc.¹⁰⁹

Surveys on domestic violence in the country confirm the existence of almost all forms of domestic violence,¹¹⁰ however, it is necessary to regularly monitor, collect statistical data and conduct surveys in order to determine the trends of all forms of domestic violence. This is especially important for our country because we are facing a problem of non-existence of official data on domestic violence.¹¹¹

It is not a matter of underestimating the fact that in the Republic of Macedonia every fourth woman is on average, or in some way mistreated by her husband. This is a worrying

¹⁰⁴ Report on the conducted field survey "Family violence", Association for emancipation, solidarity and equality of women in the Republic of Macedonia ESE, Skopje, 2000. [Извештај од спроведено теренско истражување "Семејно насилство", Здружение за еманципација, солидарност и еднаквост на жените во Република Македонија ЕСЕ, Скопје, 2000.] http://www.esem.org.mk/pdf/Publikacii/Ostanati/2000/Report% 20on% 20the% 20the% 20implemented% 20field % 20research% 20-% 20% 20Domestic% 20Violence.pdf. (Accessed: 25.2.2018).

¹⁰⁵ Popovska, Ljubinka, Rikalovski, Vlado and Dr. Vilagomez, Elizabeth, "Report from the Study on the National Survey on Domestic Violence", a publication prepared within the framework of the United Nations Program "Strengthening National Capacities for the Prevention of Domestic Violence", Skopje, 2012. [Поповска, Љубинка, Рикаловски, Владо и д-р Виљагомез, Елизабет, "Извештај од студијата за националната анкета за семејно насилство", публикација изработена во рамките на Програмата на Обединетите Нации за "Зајакнување на националните капацитети за превенција на семејно насилство", Скопје, 2012]. <u>http://mtsp.gov.mk/WBStorage/Files/semejno nasilstvo anketa.pdf</u>. (Accessed: 25.2.2018).

¹⁰⁶ National Research, "Prevalence of Abuse of the Elderly", Institute for Sociological and Political Juridical Research-Skopje with the support of the World Health Organization, Skopje, 2011. [Националното истражување, "Преваленца на злоупотребата на стари лица", Институт за социолошки и политичко правни истражувања-Скопје со поддршка на Светската здравствена организација, Скопје, 2011.] http://www.glasprotivnasilstvo.org.mk/wp-content/uploads/2013/10/Revija-komplet.compressed.pdf. (Accessed: 25.2.2018).

¹⁰⁷ *Cacheva, Violeta and Mirceva, Stojanka*, "Neglected and stigmatized", Analysis of the situation: sexual abuse of children, Institute for Sociological, Political and Juridical Research-Skopje, with the support of the UNICEF-Skopje Office, Skopje, 2009. [*Чачева, Виолета и Мирчева, Стојанка*, "Запоставени и жигосани", Анализа на состојбата: сексуална злоупотреба на деца, Институт за социолошки и политичко-правни истражувања-Скопје, со поддршка на Канцеларијата на УНИЦЕФ-Скопје, Скопје, 2009.] https://www.unicef.org/tfyrmacedonia/UNICEF Sexual Abuse Study MK za WEB(1).pdf. (Accessed: 25.2.2018).

¹⁰⁸ Chacheva, V., Frischic, J., Mishev, S., "Life in the Shadow", Domestic Violence against Women, Research Results, Association for Emancipation, Solidarity and Equality of Women of RM-ESE, Skopje, 2006. [*Чачева, В., Фришчиќ, Ј., Мишев, С., "Живот во сенка*", Семејно насилство врз жените, истражувачки резултати, Здружение за еманципација, солидарност и еднаквост на жените на PM-ECE, Скопје, 2006].

¹⁰⁹ For more see: *Gruevska Drakulevski*, A. (2013): "Domestic Violence in the Republic of Macedonia", Macedonian Review of Criminal Law and Criminology ", UDC 343, Year 20, No.1, 2013, ISSN 1409-5327, Skopje: 2 August S Stip, P. 109-162. <u>http://journal.maclc.mk/2013/07.pdf</u>. (Accessed: 25.2.2018).

¹¹⁰ The following types of domestic violence can be addressed: domestic violence against children, domestic violence in close relationships with adults (domestic violence against women and domestic violence against men), domestic violence against the elderly and other forms of violence among close people.

¹¹¹ For more see: *Gruevska Drakulevski*, A. (2013): "Domestic Violence in the Republic of Macedonia", Macedonian Review of Criminal Law and Criminology ", UDC 343, Year 20, No.1, 2013, ISSN 1409-5327, Skopje: 2 August S Stip, P. 109-162. <u>http://journal.maclc.mk/2013/07.pdf</u>. (Accessed: 25.2.2018).

fact, for the simple reason that it is a data that has been researched and relevant, but when to those 25% of women who have at least once in a life suffered from some type of domestic violence, will add the percentage of women who are in the dark figure of this phenomenon, there are really worrying conclusions about the total extent of domestic violence in our country over women. In the Republic of Macedonia women are the most frequent victims of domestic violence in the Republic of Macedonia.¹¹²

Relevant data on domestic violence, besides from the conducted surveys can be obtained from the *Ministry of Internal Affairs*,¹¹³ the *Institute for Social Activities*.¹¹⁴/¹¹⁵

To conclude, each state, as well as ours, has the obligation to create a comprehensive framework, policies and measures for the protection and assistance of all victims of domestic violence, to provide support and assistance to organizations and law enforcement agencies for effective co-operation in order to adopt an integrated approach to the elimination of domestic violence, contribute to the elimination of all forms of discrimination against women and promote essential equality between women and men, and to promote international cooperation in the elimination of domestic violence.

Furthermore, it is of particular importance to regularly monitor, collect statistical data and conduct surveys in order to determine the trends of all forms of domestic violence. This is especially important for our country because we are facing a problem of lack of official data on domestic violence.

It is necessary to regularly promote or implement campaigns or programs to raise awareness of domestic violence, the consequences that it leaves and the need for its suppression and prevention, in particular, in cooperation with national human rights institutions and equality bodies, civil society organizations and non-governmental organizations, and especially women's NGOs.

Professionals dealing with victims or perpetrators of all acts of violence should be followed by continuous training for the prevention and detection of domestic violence, equality between women and men, the needs and rights of victims, and the prevention of secondary victimization.

Perpetrators of domestic violence should be subject to programs aimed at adopting non-violent behaviour in interpersonal relationships in terms of preventing further violence and changing violent behaviour patterns.

Special attention should be paid to victims of domestic violence in order to provide appropriate assistance, care, protection and support. Victims should receive appropriate and timely information on the available support services and legal measures, legal and psychological counselling, financial assistance, housing, education, training and employment assistance, access to health and social services, shelters, telephone help lines. Special attention should be paid to the protection and support of children-witnesses of domestic violence. Each state should take the necessary legislative or other measures to encourage individuals to report cases of domestic violence which will greatly contribute to the perpetrators being condemned and the dark figure to a considerable extent will be reduced.

The sanctions that are overlooked for acts of domestic violence should be proportionate to the committed and deterred from committing crimes, that is, to exercise

¹¹² *Ibid*.

¹¹³ <u>http://www.mvr.gov.mk/Upload/Editor_Upload/semejno%20nasilstvo.pdf</u>. (Accessed: 25.2.2018).

http://zsd.gov.mk/%D1%81%D1%82%D0%B0%D1%82%D0%B8%D1%81%D1%82%D0%B8%D1%87%D0 %BA%D0%B8-%D0%BF%D0%BE%D0%B4%D0%B0%D1%82%D0%BE%D1%86%D0%B8-%D0%B7%D0%B0-%D1%81%D0%B5%D0%BC%D0%B5%D1%98%D0%BD%D0%BE-%D0%BD%D0%B0%D1%81%D0%B8/. (Accessed: 25.2.2018).

¹¹⁵ For more see: *Lažetić, Gordana' Gruevska Drakulevski, Aleksandra* (2018). "Victimology and Victims Protection in the Republic of Macedonia" (in print).

special and general prevention. Furthermore, measures should be taken to monitor or supervise the convicted persons; deprivation of parental rights if it is in the best interest of the child, etc.¹¹⁶

To conclude, the prevention and suppression of domestic violence should focus on the risk factors of this phenomenon.

V. CONCLUSIONS

To conclude, the state of art in victimology is not at the satisfactory level. The criminal justice system is more offender-oriented than victim-oriented. In recent years, a lot of research has been conducted in the field of victimology, but we must stress that all of the conducted researches are partial, dealing with specific groups of victims, such as, victims of domestic violence, victims of human trafficking and migrants, children victims of physical, psychological and sexual harassment, victims of property crime, victims of traffic accidents, victims of violent crime, children on streets – victims, etc. Since now, there has not been conducted major national or international victimisation surveys or victimological research projects apart from the research mentioned above.

Regarding the victimology as a scientific discipline in the Republic of Macedonia, we shall emphasize that at the universities, mostly, victimology is studied as a part of criminology, criminal law and criminal procedure. This is a theoretical limitation since victimology and research in victimology has a great significance. It is almost impossible to explain the etiology of crime and delinquency without the victim of the crime as an object of interest and its contribution towards the crime.

However, we must stress that the activities and research of governmental and NGO key actors involved in victim support and victim protection, influenced many changes regarding the legislation. Many laws were enacted, there was influence regarding the criminal policy in the country in terms of prescribing more severe penalties in the Penal Code, as well as, harshening the judicial criminal policy toward perpetrators of crime and delinquency; many government and non-government organizations were involved in the process of supporting and protecting victims, especially victims of crime. Attention was paid to the victims of crime despite the previous practice, focusing only on the criminal act and the perpetrator of crime. Even more, the improvement of the victimology goes further with enacting laws on protection of victims. In legislative terms the situation with the position of victims, their rights and protection has increasing tendency since 2004. There are new possibilities in different laws that provide help, support and protection of victims. But the activities of NGO-s are much more valuable than the effectiveness of the state bodies and authorities.

Also, there is not any official criminal statistics which focus on the number and sociodemographic characteristics of victims and situational characteristics of victimisation. The major limitation of all the researches regarding victims of crime are that they do not follow the same methodology for gathering and analysing data, hence, the results are different. In near future the country should adopt unique methodology for systematic analyses of the victims of crime, in general, and victims of crime in particular, namely, specific types of victims of specific types of crime. We suggest that the official body for gathering and analysing the data should be the State Office of Statistics of the Republic of Macedonia.

Hence, there is a need for improvements in terms of conducting surveys on victims, their rights, support and protection, etc.

¹¹⁶ See: Council of Europe Convention on preventing and combating violence against women and domestic violence, Istanbul, 11.V.2011. <u>https://www.coe.int/fr/web/conventions/full-list/-</u>/conventions/rms/090000168008482e. (Accessed: 25.2.2018).

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