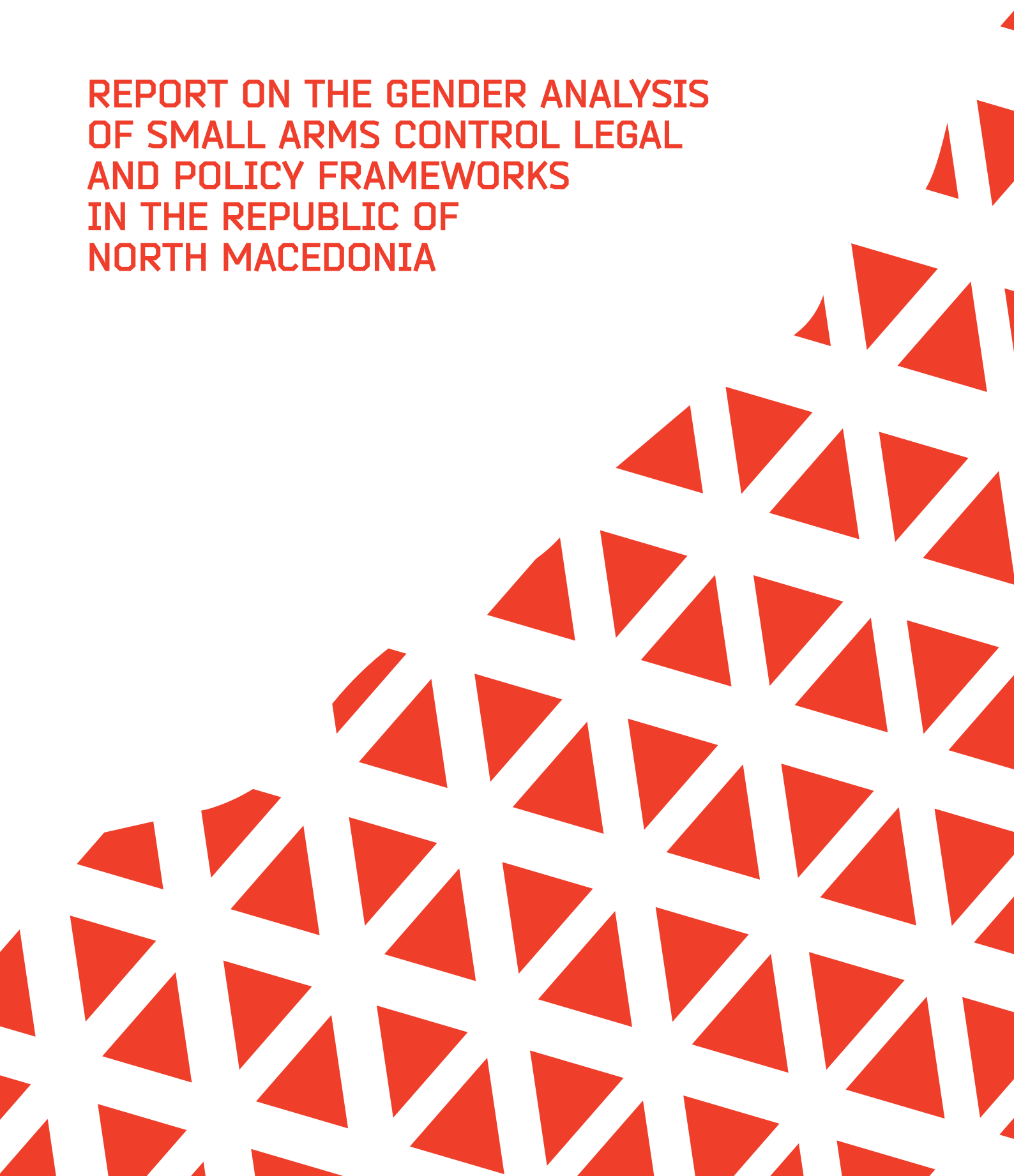




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REPORT ON THE GENDER ANALYSIS OF SMALL ARMS CONTROL LEGAL AND POLICY FRAMEWORKS IN THE REPUBLIC OF NORTH MACEDONIA





The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) is a joint initiative of the United Nations Development Programme (UNDP) and the Regional Cooperation Council (RCC) aimed at strengthening national and regional capacities to control and reduce the proliferation and misuse of small arms and light weapons, thus contributing to enhanced stability, security and development in South Eastern and Eastern Europe.

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ABBREVIATIONS AND ACRONYMS

SEESAC	South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons
SALW	Small Arms and Light Weapons
SEE	South East Europe
EU	European Union
CoE	Council of Europe
CEDAW	Convention on Elimination of All Forms of Discrimination against Women
SDG	Sustainable Development Goals
GBV	Gender-based Violence
Mol	Ministry of Interior
YSA	Youth State Agency
SG	Strategic Goal
CSO's	Civil society organizations

EXECUTIVE SUMMARY

Extensive evidence provided by UNDP SEESAC¹ thoroughly documents the gendered aspects of small arms ownership, use, and misuse. Available data for South East Europe indicates that:

- firearms ownership and access to firearms are highly gendered;
- the use and misuse of firearms have differential effects on women and men;
- there is a high incidence of firearms use in domestic violence, including in intimate partner violence; and
- the perception of firearms is somehow different between men and women.

Findings and trends documented in the Republic of North Macedonia² reflect these patterns (Section I) and demand long and short-term actions, both at the legislative and policy levels.

To support authorities in the Republic of North Macedonia in fully integrating the gender perspective into small arms control, a comprehensive gender analysis of legislation pertaining to arms control was undertaken. This analysis has aimed to assess the gender responsiveness of relevant legislation and policies, map gaps in legislative responses, and provide recommendations for authorities on how to advance the gender responsiveness of the respective legislation. This represents an integral part of the ongoing harmonization of arms-control legislation with the EU regulatory framework and other related international obligations and standards across the region.

In this report, the gender responsiveness of the legislation is assessed according to the main gender concerns related to small arms:³

- legislative and policy preconditions for the integration of the gender perspective in small arms control policies and legislation;
- the participation and representation of women in arms control policy/legislation development and implementation;
- links between firearms and domestic violence and violence against women;
- responses to gendered aspects of firearms demand, use and misuse – including connections between specific forms of masculinity and firearms;
- gender-sensitive record keeping practices; and
- linkages between the arms trade and the risks of gender-based violence and violence against women.

KEY FINDINGS

Through recent legislative and policy developments, institutions in the Republic of North Macedonia have made considerable efforts at the legislative and policy levels to address the gendered dimension of small arms. This is primarily reflected in legislative provisions aimed at preventing and combating the misuse of firearms in the context of domestic violence. Furthermore, the strategic framework for SALW control increasingly recognizes gender concerns related to small arms, such as gendered factors fuelling demand for firearms and shaping risk-taking behaviour, the participation of women in SALW control, and the establishment of preconditions for the integration of the gender perspective into SALW control policymaking.

Below are the key findings of the analysis organized according to the primary thematic areas outlined above.

1] UNDP SEESAC, Gender and SALW in South East Europe, 2016; UNDP SEESAC, The Misuse of Firearms in Domestic Violence in South East Europe, 2019; UNDP SEESAC, Men and Firearms in South East Europe, 2019; UNDP SEESAC, Gender and Small Arms: Fast Facts, 2019; UNDP SEESAC, Firearms Possession and Domestic Violence in the Western Balkans: A Comparative Study of Legislation and Implementation Mechanisms, 2007.

2] Gender and Small Arms in North Macedonia: Fast Facts, 2019; UNDP SEESAC.

3] UNDP SEESAC, Gender and SALW in South East Europe, 2016.

1. LEGISLATIVE AND POLICY PRECONDITIONS FOR THE INTEGRATION OF THE GENDER PERSPECTIVE AND THE PARTICIPATION OF WOMEN IN SMALL ARMS CONTROL

The Law on Equal Opportunities of Women and Men provides a robust basis for mainstreaming gender in small arms control. The Law stipulates the integration of the gender perspective into each phase of the process of the development, adoption, implementation, monitoring, and evaluation of policies, and especially into legislation. Consequently, there is a legal responsibility for the adoption and implementation of gender-related measures for all state actors, including institutions responsible for small arms and light weapons control.

The Small Arms and Light Weapons Control Strategy for the Period 2017-2021 contains an explicit commitment to advancing gender equality within SALW control, articulated in Specific Goal 3.1.6 - Full integration of gender and age issues into SALW control policies and ensuring significant participation of women in SALW control. This goal envisages the capacity building of the SALW Commission and other relevant institutions, the implementation of measures envisaged in recent amendments to the Law on Weapons addressing the use of firearms in cases of domestic violence, and the addressing of the links between masculine norms and demand and misuse of firearms. The Strategy also envisages awareness-raising campaigns; the institutionalization of a methodology for data collection that is disaggregated by sex and age; and the preparation and institutionalization of research on perceptions regarding the use, possession, and danger of firearms with data disaggregated by sex and age, etc.

With respect to women's participation, the government is obliged to ensure the equal participation of women and men in the composition of its working bodies and delegations, consultative and coordinative bodies, and in the appointment of representatives in the governing boards of the public enterprises and institutions in accordance with the Law on Equal Opportunities of Women and Men. This obligation pertains to the SALW Commission as well.

The composition of the National SALW Commission is determined by the Government of the Republic of North Macedonia through a decision, at the proposal of the relevant ministries and other institutions. The decision designates institutions that regularly participate in the work of the commission and state institutions that shall participate upon the invitation of the commission. With respect to gender equality mechanisms, the Ministry of Labour and Social Policy is represented in the SALW Commission, but the decision does not ensure the participation of a representative from the Sector for Equal Opportunities in the commission. Such a situation may seriously hamper the participation of women's CSO's and lead to their exclusion. Non-governmental organizations and international organizations that directly implement the SALW intervention project could be invited when it is assessed that a certain issue on the commission's agenda is related to their work.

The Second National Action Plan of the Republic of North Macedonia for the Implementation of UN Security Council Resolution 1325 – Women, Peace and Security 2020-2025 contains a specific goal related to women's participation. The Strategic Goal 2 SG2 aims to enable a gender transparent, inclusive and equal working environment for women and to ensure effective, accountable and sustainable women's participation in all aspects of society through appropriate through adoption and implementation of supporting legislation and policies as well as training and education.

2. LINKS BETWEEN FIREARMS AND DOMESTIC VIOLENCE AND VIOLENCE AGAINST WOMEN

Taking into account the specific risks related to the use of firearms in the context of domestic violence (Section I), this analysis is focused primarily on: the regulation of the civilian possession of firearms, particularly license approval and security vetting; procedures regulating the access, use, and carrying of weapons by security sector personnel; and the procedures of relevant institutions in response to incidents of domestic violence.

Civilian possession of firearms is regulated by the Law on Weapons (consolidated version 97/2018). Noticeably, **both “domestic violence” and the “severe disruption of family relationships” are considered as grounds for the rejection of an application for the acquisition of firearms in a twofold manner:**

1. the person has been legally convicted of domestic violence;
2. circumstances indicate that the firearm could be misused, especially if domestic violence perpetrated by the applicant has been documented.

This is consequently reflected in the procedure for the renewal of a license to possess a firearm. The same conditions applying to firearm acquisition also apply to ammunition acquisition. Provisions of the Law on Weapons also apply to employees in those legal entities engaged in private security.

While these important legal provisions aim to restrict access to firearms or remove them in the case of domestic violence, **several issues have been documented that remain yet to be addressed** so that the effectiveness of the legislative framework might be further enhanced:

1. Most **domestic violence goes unreported to institutions, which places particular importance on background checks/security vetting** as a potentially effective tool towards preventing firearm misuse in the context of domestic violence.
2. Currently, security vetting per the requirements prescribed in Article 12 of the Law on Weapons, including “domestic violence” and “severely disrupted family relationships,” is conducted primarily on the basis of the official records kept by relevant institutions. An authorized official in the Ministry of the Interior is obliged within 30 days of the receipt of a request to acquire evidence on whether the applicant meets the legally prescribed requirements. However, security vetting procedures do not provide firm and comprehensive guidance on the assessment as to whether firearms could be misused in a domestic violence context, unless it has been reported. For instance, the legislation does not mandate that interviews be conducted with current and former partners and other family members, including neighbours, which could provide insight into whether the acquisition of firearms would place an intimate partner or child in reasonable fear or danger of the use of firearms in any form of domestic violence, including psychological violence and threatening. In addition, there are no provisions for mandatory consultation with the Centre for Social Work or for checking the applicant’s history of domestic violence. Also, the Law on Weapons and associated bylaws do not contain specific provisions that legally prescribe the obligation of a competent institution to notify the spouse or close family member(s) during the process of an applicant’s seeking to obtain a license.
3. According to the current legal provisions, when verifying whether an applicant meets the requirement stipulating that an applicant has not been “legally convicted for a criminal act committed with intent, which is prosecuted ex officio,” the criminal act of causing Bodily Injury from Article 130, para. 2 of the Criminal Code may not be considered as evidence, an accused criminal act for which prosecution is undertaken ex officio (with a previously submitted report of domestic violence by the victim within 90 days of the moment of the violence).
4. Decisions on an issued **temporary restraining order** for the prevention of acts of domestic violence are not explicitly prescribed in the Law on Weapons as part of the requirements for security vetting. Given that this procedure can be initiated parallel to the criminal procedure, more specific regulation is required in this context.
5. While **all forms of domestic violence** are criminalized by the Criminal Code (consolidated version, 248/2018), there is no specific provision stating whether all forms of domestic violence such as physical, psychological, sexual, and economic, among others, are considered when determining that “domestic violence” has not occurred as a requirement for obtaining a firearm if such forms/instances have not been legally sanctioned.

Implementation of the above-mentioned measures could lead to better prevention and inhibition of domestic violence. Bearing in mind that other forms of gender-based violence are to be legally regulated in the immediate future, including the act of stalking, it should be emphasized that all such forms must be considered as well.

Civilians with a firearm license are not necessarily allowed to carry these weapons.⁴ Only civilians employed for an indefinite period in those **legal entities performing private security** can possess a license for carrying weapons and can use only these weapons in performing their duty. The relevant legislation regulates the manner in which weapons may be handled by civilians owning a weapon or by those persons who have the authorization to carry firearms. If such provisions were to be fully

4] The Law on Weapons uses the term “natural persons” for civilians that possess firearms and civilians employed for an indefinite period in legal entities performing private security.

implemented, improved prevention of firearms misuse could be achieved.

These weapons should not be carried in a way that will disturb citizens or make a weapon visible; it is forbidden that the owner or legal bearer carry or use a firearm if through his/her use of alcohol or drugs or by other means he/she will be brought into a state in which he/she cannot understand the meaning of his/her act or manage his/her actions; it is forbidden to carry and use weapons in a public place, except for those workers dutifully engaged in securing persons and property in state bodies and legal entities, etc. The legislation also regulates the storage of firearms, but further legislative guidance is required to ensure detailed standards and procedures for the safe storage of both firearms and their ammunition.

The legislation has extensively regulated procedures of relevant institutions, the Centre for Social Work, and the police in cases of domestic violence when firearms have been used or when there has been a threat of their use, as well as in cases in which the accused perpetrator was authorized to possess, carry, or use weapons.

Based on the risk assessment, the possession, use, or the threat of a civilian with a firearm in domestic violence all constitute grounds for the temporary seizure of the weapon, and if, later, justifiable reasons are established for its confiscation, then it is to be confiscated. Consequently, any firearms license will remain temporarily revoked until a final court decision is made to permanently revoke the licence. For the license to be revoked permanently, either a criminal procedure for a criminal act of domestic violence has to be completed with a final judgment or a court decision imposing a temporary protection order pertaining to domestic violence, or a “prohibition to possess firearms or other weapons or to have them confiscated,” needs to be issued in accordance with the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015).

If authorities assess that the return of a weapon might pose a threat or a danger, they can decide not to return it, even if there are no grounds for prosecution. When domestic violence is committed by a civilian, the Centre for Social Work assesses whether the perpetrator possesses weapons (legal or illegal), while the police assess whether the perpetrator has used a weapon or other object or threatened such use. This indicates a lack of uniformity in the risk assessment approach between institutions. In addition, there is no specific provision that refers to and consequently considers the risk of the misuse of weapons possessed by other family members.

Protection measures contained in the Victims Safety Plan include the temporary seizure of firearms and firearms licenses from the accused perpetrator, whereas in cases in which the perpetrator has access to or handles service firearms as part of his/her professional duty, the employer is informed about the reported domestic violence.

With respect to health-related requirements for possessing and carrying weapons, the duration of license validity might require further examination and possible modification.

Many **security sector personnel** carry and use weapons as part of their special official authorization. This includes state personnel in police forces, including judicial police, prison police, financial police, forest police, and intelligence, counterintelligence, and military police, in intelligence agencies, as customs officers, military personnel, employees in the military, and in the forest guard service, as well as those engaged by private security companies. Detectives are not legally allowed to use weapons in performing their duties. Only for candidates applying for employment in the police, the financial police, and in the Forest Police with the status of authorized officials is there a legally stipulated provision for security vetting. However, **domestic violence is not explicitly prescribed as a security vetting condition in any of these security sector professions.** Meanwhile, the special laws and bylaws pertaining to other security sector employees have no provisions for the security vetting of employee candidates. In both cases, these protocols could be practically implemented.

While relevant legislation extensively regulates the use of firearms by security sector personnel while on duty, carrying and holding service firearms outside working hours might require further regulation. The relevant laws and bylaws containing provisions on this issue specify that personnel authorized to carry firearms, such as the police, financial police, and customs officers, are obliged to carry firearms entrusted to them only during the performance of official duties, on their regular way to the workplace, and on the way from the workplace to their homes. However, certain relevant legislation does not always provide clear provisions on carrying and holding service firearms outside of working hours or working stations.

The Law on Police, the Law on Military Service, the Law on the Execution of Sanctions, the Law

on Financial Police, the Law on the Judicial Service, and the Law on Forests differ to a degree in regulating procedures in cases of an employee committing domestic violence. **For a large contingent of security personnel, the legislation generally recognizes an incidence of domestic violence as grounds for the temporary seizure of weapons** until the court's decision in criminal or misdemeanour proceedings or in proceedings regarding a temporary protection order for domestic violence becomes final. These proceedings include a mandatory psychiatric and psychological examination of the accused perpetrator, or counselling with a psychologist (psychological counselling), to assess whether a perpetrator is eligible and capable to carry out his/her position of carrying and using a firearm. A special department at the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption is responsible for the investigation and prosecution of crimes committed by persons with police powers (the police, financial police, and investigative customs officers) and by members of the prison police. The Law on Customs Administration (consolidated version 248/2018) **does not recognize a temporary protection order for domestic violence as a condition for the temporary seizure of firearms.** It should be emphasized that the Law on the Intelligence Agency and the Law on Defence pertaining to authorized officials working in intelligence, counterintelligence, and the prevention and detection of crimes committed by persons do not contain specific provisions for procedures in cases of employees being reported for committing domestic violence.

3. RESPONSES TO GENDER ASPECTS OF FIREARM DEMAND, USE, AND MISUSE

The Small Arms and Light Weapons Control Strategy for the Period 2017-2021 contains an **explicit commitment to advancing gender equality within SALW control** envisages the implementation of measures addressing the influence of gender roles and dominant masculine attitudes in fuelling the demand for, and the misuse of, firearms, especially among young men. The Strategy also envisages other activities, such as: awareness-raising campaigns focused on particular groups or particular behaviours (young men, hunters, celebratory gunfire, domestic and gender-based violence, private security, training centres, etc.) as well as the preparation and institutionalization of research on perceptions regarding the use, possession, and danger of firearms with data disaggregated by sex and age, etc.

In addition to the Small Arms and Light Weapons Control Strategy, the government has adopted a vast number of **other relevant strategies that could provide important entry points for addressing diverse gendered aspects of firearm demand, use, and misuse within their respective areas.** This primarily refers to: the National Youth Strategy; the Second National Action Plan of the Republic of North Macedonia for the Implementation of UN Security Council Resolution 1325 – Women, Peace, and Security 2020-2025; the National Action Plan for Gender Equality 2018-2020; the Action Plan for the Implementation of the Convention on Preventing and Combating Violence against Women and Domestic Violence 2018-2023; and the National Strategy for Improving Mental Health with an Action Plan 2018 -2025, etc. However, **these strategies either only marginally tackle the gendered aspect of small arms or fail to address it at all, with non-convergence between different strategies apparent.** For example, the National Youth Strategy 2016-2025 aims to decrease risk behaviour and violence among youth. Here, it would be highly relevant to address specific risks related to armed violence among young men in particular. However, no specific activities for addressing such factors are envisaged. On the other hand, this strategy does envisage activities for intensifying cooperation among professionals in schools for recognizing violent behaviour and victims of violence (gender-based violence and other types) and for peer education and sensitizing professionals in working with young offenders. These could serve as a springboard for linking violence, and more specifically gender-based violence prevention, with small arms control.

4. GENDER-SENSITIVE DATA COLLECTION PRACTICES

Firearm data collection is primarily regulated by the Law on Weapons, while the Small Arms and Light Weapons Control Strategy envisages measures to improve record keeping. As per the Law on Weapons and the Rulebook on Weapons and Ammunition Forms and the Manner of Keeping Weapons and Ammunition records, the Ministry of interior keeps records of the data from the

application forms, permits, and approvals in a total of 21 registers. **The current form of registers does not provide data disaggregated by sex.**

However, the Law on Equal Opportunities of Women and Men prescribes the obligations of state and private entities to collect, record, and process statistical data according to gender, including the obligation to submit these data to the State Statistical Office.

All competent bodies and institutions that have the authority and a mandate to proceed on cases of domestic violence are obliged to establish special records for domestic violence, in accordance with the regulations for personal data protection and with the Law on the Prevention and Suppression of and Protection from Domestic Violence. Consequently, the Law on Police and the Law on Social Protection, as the key institutions in reporting and proceeding in cases of domestic violence, both contain legal provisions for keeping data on domestic violence. More specifically, the Ministry of the Interior, in the Rulebook on the Content and Manner of Keeping Police Records and the Form and Content of Police Records (Official Gazette 160/2013, 56/2014, and 130/2019) contains provisions on maintaining records related to reported cases of domestic violence and records on temporary protection orders executed by the police.

The importance of the government in data collection, and its commitment to it, especially regarding data on firearms use in domestic violence cases, is confirmed by the Small Arms and Light Weapons Control Strategy and the 2017 – 2021 Action Plan, which envisages activities to improve the monitoring and analysis of firearms, ammunition, and explosives related crimes, with data disaggregated by gender and age, as well as activities to introduce coordinated data collection activities in cases of domestic violence related to the use or threat of use of a firearm.

5. ARMS TRADE

As per the Arms Trade Treaty, the Republic of North Macedonia has undertaken commitments to ensure that in conducting an export assessment the national legislation takes into account the risks of the conventional arms or other items being used to commit or facilitate serious acts of gender-based violence or violence against women and children.

The Law on the Production and Trade of Arms and Military Equipment (consolidated version 64/2018) contains a provision stipulating basic alignment with the Arms Trade Treaty. In addition, the Government of the Republic of North Macedonia has issued a decision adopting the Common Position of the Council of the European Union 2008/944/CFSP, laying down common rules governing the control of exports of military technology and equipment.

The EU Common Position on Arms Export establishes seven criteria. Article 31-h in the Law on the Production and Trade of Arms and Military Equipment (consolidated version 64/2018) indicates that Criteria 1, 2, 3, and 5 are accepted and that relevant legislation in North Macedonia is aligned with them. However, Criteria 4, 6, 7, and 8 are not referenced in this article, indicating only partial alignment with this position. It is worth noting that Article 31- h was adopted prior to the Arms Trade Treaty signature. **This Law on the Production and Trade of Arms and Military Equipment has seven bylaws, not one of which is related to the risk assessment of gender-based violence or violence against women.**

RECOMMENDATIONS

An extensive list of recommendations is provided in Section V of this report; here only main recommendations are outlined.

INTERNATIONAL COMMITMENTS

- Further enhance the gender-responsive approach to small arms control by fully undertaking commitments set in the Outcome Document of the Third Review Conference of the UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects -PoA; fully embrace the 2030 Agenda for

Sustainable Development, and align undertaken commitments with the Arms Trade Treaty and criterion set by the Common Position of the Council of the European Union 2008/944 / CFSP (Section III). In that respect, a bylaw regulating necessary risk assessment should be adopted in order to prevent exported conventional arms from being used to commit or facilitate gender-based violence or violence against women.

LEGISLATIVE AND POLICY PRECONDITIONS FOR THE INTEGRATION OF THE GENDER PERSPECTIVE AND PARTICIPATION OF WOMEN IN SMALL ARMS CONTROL

- Establish procedures to ensure balanced representation of women and men in the SALW Commission;
- Establish mechanisms for the participation of the relevant gender mechanisms (particularly from the Ministry of Labour and Social Policy) and of CSO's working on gender equality and gender-based violence in SALW control policy development, implementation, and evaluation;
- Utilize gender-responsive budgeting as a tool to facilitate the implementation of gender equality commitments related to SALW control.

LINKAGES BETWEEN FIREARMS AND DOMESTIC VIOLENCE, VIOLENCE AGAINST WOMEN, AND GENDER-BASED VIOLENCE

- Enhance the prevention of and response to firearms misuse in cases of domestic violence by amendments and addenda to the Law on Weapons through:
 - inclusion of the definition of domestic violence as prescribed in the Criminal Code and in the Law on Prevention and Suppression of and Protection from Domestic Violence;
 - introduction of the obligation to notify the spouse (current and former from the last two years) or close family member(s) of a firearm applicant by the responsible state institution during the process of license approval;
 - mandating obligatory consultation with the Centre for Social Work with a view to obtaining data on any history of domestic violence, including stalking once it is legally introduced;
 - improving security vetting through the adoption of a rulebook for the security vetting of domestic violence to be developed and adopted by the Ministry of the Interior;
 - amending the requirement “legally convicted for a criminal act committed with intent, which is prosecuted ex officio” to “legally convicted for a criminal act committed with intent, which is prosecuted ex officio, or a previous report by the victim of domestic violence” for cases of DV and include the disqualifying condition that “the person has been issued with a temporary protection order for domestic violence;” and to explicitly establish that a court decision for imposing a temporary protection order serves as grounds for the revocation of a firearms license.
- Align procedures for all security personnel authorized to carry and use weapons to establish a uniform approach; more thoroughly regulate the carrying and use of firearms outside of security personnel working stations; and ensure that security vetting during the recruitment process includes checking a candidate's history for domestic violence.
- Reassess and align risk assessment and risk management approach protocols in accordance with the Istanbul Convention and, consequently, address as risks both the possession of and access to firearms, regardless of whether the firearms were used directly or as a tool of threat for domestic violence. Risk assessment and risk management should equally address firearm risks in cases of both legal and illegal possession.
- Develop and adopt extensive guidance on the implementation of relevant legislation demonstrating the linkages between firearms and domestic violence and envisage clear guidelines for procedures in cases of domestic violence.

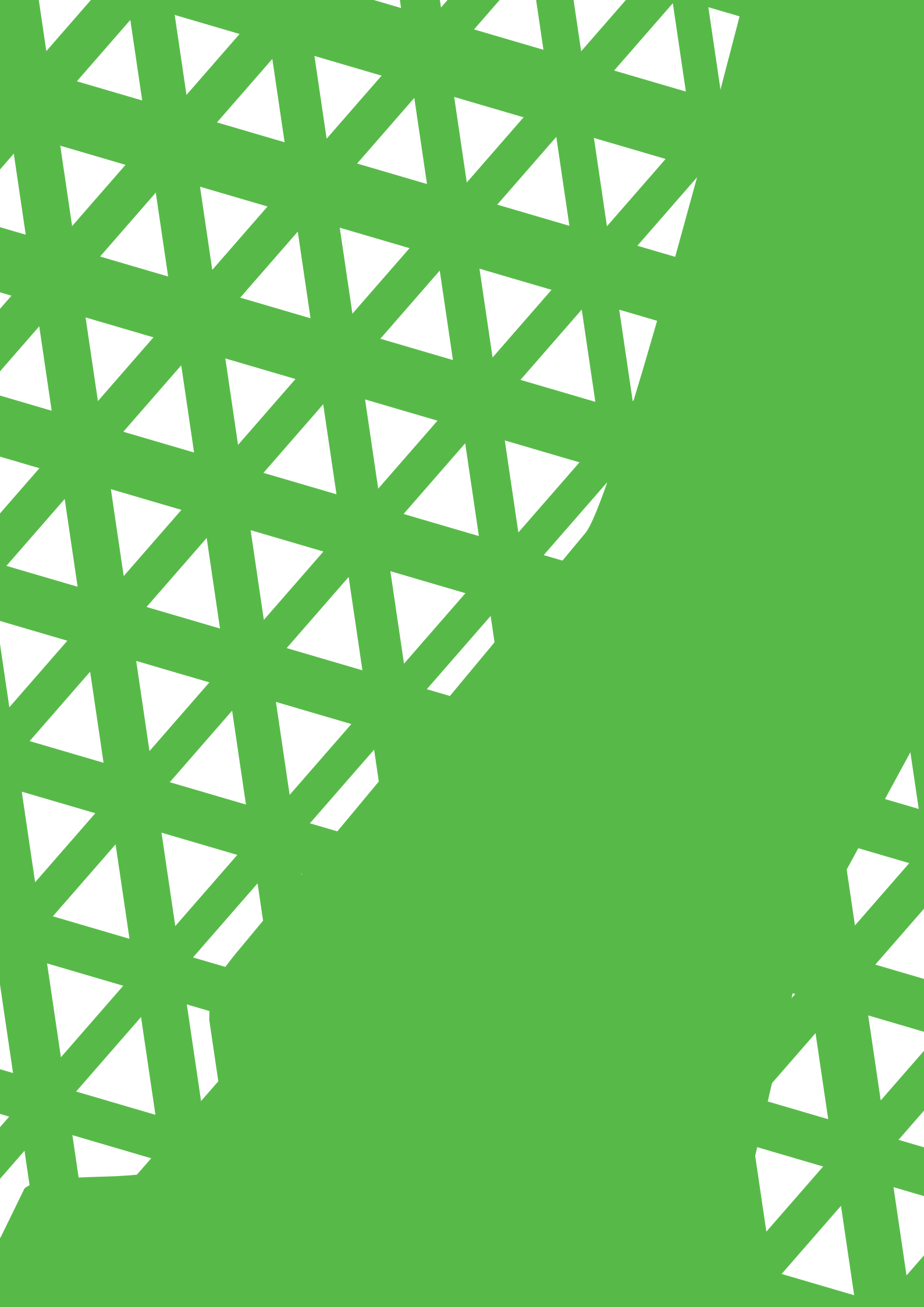
RESPONSE TO GENDER ASPECTS OF FIREARM DEMAND, USE, AND MISUSE

- Enhance strategic synergies to maximize the effects of the proposed actions in preventing and addressing firearm demand, use, and misuse between the Small Arms and Light Weapons Control Strategy, the 2017–2021 Action Plan, and other relevant strategies, including the preparation of a financial plan and securing the required resources for the implementation of the foreseen policy measures;
- In addition, relevant institutions should actively seek to increase convergence between strategic documents and advance efforts to prevent the misuse of firearms.

GENDER-SENSITIVE DATA COLLECTION PRACTICES

- Ensure that all bylaws regulating data collection include sex and age as mandatory factors for data disaggregation;
- Establish procedures for keeping records on seized and returned weapons and grounds for seizure;
- Establish procedures to improve the exchange of data between relevant state institutions which play crucial roles in preventing and combating domestic violence, especially between the Centre for Social Work and the police;
- Ensure that record keeping on domestic violence includes data on firearms, both legal and illegal, such as data on the presence of firearms, their use, their type, etc., through the amendment of existing bylaws.

I INTRODUCTION



GOAL

The goal of this analysis is to contribute to enhancing the gender responsiveness of small arms control legislation and policies in the Republic of North Macedonia.

OBJECTIVES

The objectives of this analysis are to:

- assess the gender responsiveness of legislation relevant to arms control in the Republic of North Macedonia and map gaps in legislative responses;
- provide recommendations for authorities on how to advance and enhance gender responsiveness in the respective legislation.

This analysis is an integral part of the ongoing harmonization of arms-control legislation with the EU regulatory framework and other related international obligations and standards across the region.

Gender-responsive arms control refers to arms control legislation, policies, and programmes which take into account and actively respond to the different experiences and roles of women, men, girls, and boys related to small arms (control) and the gender-specific risks they face with respect to small arms proliferation and misuse.⁵

SCOPE

In the context of this specific analysis, the gender responsiveness of legislation is assessed against several main gendered concerns related to small arms:

- Legislative and policy preconditions for the integration of the gender perspective and participation of women in firearms control (Section IV, Unit 1);
- Linkages between firearms and domestic violence (Section IV, Unit 2 and 5);
- Responses to the gender aspects of firearms demand, use, and misuse (Section IV, Unit 3);
- Gender-sensitive record keeping practices (Section IV, Unit 4);
- Links between the arms trade and the risks of gender-based violence and violence against women (Section IV, Unit 5).

A broad sample of legislative and strategic documents was reviewed in order to assess if, and to what extent, the gender perspective is integrated into the small arms control legislative and police framework.

Among others, the following relevant national legal and policy documents in the area of small arms, the prevention of domestic violence, and gender equality were analysed:

- The Law on Weapons (consolidated version 97/2018) and accompanying bylaws:
 - The Ministry of the Interior; the Rulebook on Weapons and Ammunition Forms and the Manner of Keeping Weapons and Ammunition Records (consolidated 35/2014);
 - The Ministry of the Interior; the Rulebook on the Type and Manner of Performing the Medical Examination to Determine the Health Condition for Possessing and Carrying Firearms, the List of Diseases and Health Conditions that Make a Person Incapable of Possessing and Carrying Weapons, and the Manner and Procedure of Issuing Medical Certificates (Official Gazette 98/2005);
- The Law on the Production and Trade of Arms and Military Equipment (consolidated version 64/2018);
- The Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) and accompanying bylaws:
 - The Ministry of Labour and Social Policy; the Rulebook on the Manner of Implementing Protective Measures Undertaken by the Centre for Social Work and on the Manner of Following up on Issued Temporary Protection Orders (Official Gazette 17/2015);

- The Ministry of the Interior; the Rulebook on the Method of Risk Assessment upon the Life and Physical Integrity of the Victim of Domestic Violence and the Risk of the Recurrence of Violence, Proper Risk Management, the Form of the Police Report, and the Proposal for Imposing a Temporary Protective Measure – the Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home (Official Gazette 28/2015);
- The Ministry of the Interior; the Rulebook on the Manner of Execution of the Issued Temporary Protection Orders for Victims of Domestic Violence and Members of their Family (Official Gazette 28/2015), etc.;
- The Law on Equal Opportunities of Women and Men (consolidated version 150/2015);
- The Law on Police, Law on Military Service, Law on the Execution of Sanctions, Law on Financial Police, Law on the Judicial Service, Law on Forests, Law on Customs Administration, Law on the Intelligence Agency, Law on Defence, Law on Private Security, and the Law on Internal Affairs, and these accompanying bylaws:
 - The Ministry of Interior; the Rulebook on the Form and Content of the Security Questionnaire for Conducting a Security Check on a Person Establishing Employment in the Ministry of the Interior (Official Gazette 3/2015);
 - The Government of the Republic of North Macedonia; the Regulation on the Use and Means of Force as well as Carrying and Using Firearms by Financial Police Officers (Official Gazette 137/2014);
 - The Government of the Republic of North Macedonia; the Regulation on the Use of Force as well as Carrying and Using Firearms by Customs Officers (Official Gazette 21/2005);
 - The Government of the Republic of North Macedonia; the Regulation on the use of Firearms, Rubber Bullets, and other Means of Force by Members of the Judicial Police (Official Gazette 5/2013);
 - The Ministry of Agriculture, Forestry, and Water Management; the Rulebook on the Official Uniform, Identity, Type of Official Weapons Carried by Members of the Forestry Service, and the Manner of Using Official Weapons (Official Gazette 112/2015);
 - The Ministry of Agriculture, Forestry, and Water Management; the Rulebook on the Uniform and Type of Weapons Carried by members of the Forest Police (Official Gazette 57/2019);
 - The Ministry of Interior; Instructions on the Method of Application of the Means of Force (Official Gazette 86/2013);
- The Control of Small Arms and Light Weapons Strategy and the 2017 – 2021 Action Plan;
- The Decision on Establishing a National Commission for Light and Small Weapons (Official Gazette 177/2019);
- The National Action Plan for Gender Equality 2018-2020;
- The National Youth Strategy 2016-2025;
- The Second National Action Plan of the Republic of North Macedonia for the Implementation of UN Security Council Resolution 1325 – Women, Peace, and Security 2020-2025, Strategic Framework;
- The Action Plan for Implementation of the Convention for the Prevention and Fight against Women and Domestic Violence 2018-2023.

All documents that were the subject of this analysis are listed in the Reference List and Annex 1 – Preview of the Documents Analysed, adjoining this report.

In addition, the report provides an overview of:

- sex-disaggregated data related to ownership, access, and demand for firearms and their impact on women and men, including the misuse of firearms in the context of domestic violence (Section II); and
- international commitments relevant to this analysis (Section III).



II

CONTEXT: OVERVIEW OF KEY DATA ON THE GENDERED ASPECTS OF FIREARMS



A growing body of research in South East Europe (SEE) has provided extensive evidence of the highly gendered nature of small arms and the important role that the gender perspective plays in shaping and understanding various aspects of firearms ownership, use, and misuse. The recently released *SALW Surveys and Gender and Small Arms Fast Facts Series* provide comprehensive insight into the specific context of each state in the Western Balkans, including the Republic of North Macedonia.⁶

This section provides an overview of key data which should serve as a starting point for evidence-based policy making. Data is extracted from the *Republic of North Macedonia: Small Arms and Light Weapons Survey 2012-2016* published by UNDP SEESAC.

Firearms ownership and access to firearms are highly gendered

The number of firearm license-holders in the Republic of North Macedonia increased steadily from 160,516 in 2012 to 173,704 by 2016 - an increase of 8.2%. Consequently, the number of registered firearms in civilian possession increased from 165,815 in 2012 to 179,151 by 2016, an 8% increase.

Men have accounted for 99.5% of firearm license-holders across these five years, with the percentage of women holding a firearm license remaining at 0.5% throughout. In 2016, 172,790 men and 914 women held firearm licenses. Between 2012 and 2016, men acquired 99.1% of all licenses, compared to 0.9% acquired by women. In 2016 alone, 33,781 men and 254 women applied for new licenses. Men aged 36 to 60 accounted for 51.8% of all applicants, closely followed by men aged 18 to 35, at 43.8%. Among women, those 36 to 60 years old were the most likely to apply for licenses, accounting for 60.8% of all female applicants.

The majority of firearm license-holders held licenses for category C firearms, with an average of 62.7% over the five years. The remaining firearm license-holders held licenses for category B firearms, at 37.3%. Hunting was the most commonly cited reason by firearm license-holders for possession of a firearm license across all five years, accounting for 57.6% in 2016, followed by sport and self-protection at 20.5% and 19.4%, respectively. The number of firearm license applicants also increased during this period from 12,083 to 34,035.

Mirroring the rise in the number of firearm license applicants, the total number of rejected firearm license applicants also increased during this period from 8,063 in 2012 to 11,752 by 2016. A total of 4,636 firearm licenses were revoked during this period, of which 99.8% belonged to men. The number of revoked firearm licenses fluctuated and then fell during the five years, from a high of 1,851 in 2012 to 854 by 2016. While the number of firearm license-holders, registered firearms, and firearm license applicants increased during these five years, the number of revoked firearms did not increase. Misdemeanours were the main reason across all five years for the revocation of licenses, representing 85.8% (1,588) of such occurrences in 2012 and 50.1% (428) in 2016. In 2012, 246 licenses were revoked due to criminal records (13.3%), but this increased to 388 by 2016 (45.4%). A total of 67 licenses over the five years were revoked due to health/medical unfitness and a further 49 for "other" reasons. A marginal 2.4% were revoked in 2012 on domestic violence grounds, but this increased to 7.9% by 2016. The government authorities were not found to have data regarding the estimated number of illicit firearms in civilian possession. The number of reported cases of illegal possession of firearms fell from 128 in 2012 to 86 in 2016 (-32.8%), with a total of 483 cases over the five years. The number of confiscated firearms fluctuated, from a high of 76 in 2012 to a low of 58 in 2016, with a total of 329 confiscated firearms for the five years.

Men accounted for an overwhelming majority of the personnel authorized to carry firearms across the security sector. In 2016, 8,461 male and 945 female members of police forces were authorized to carry firearms, while all the personnel hired by private security companies and authorized to carry firearms were men.

Differentiated effects of firearms on women and men

In the Republic of North Macedonia, a total of 1,833 criminal offenses committed with firearms were registered between 2012 and 2016. 97.7% of firearm-related criminal offenses were committed by men, and only 2.3% by women.

Firearms were the most frequently used instrument for committing homicide between 2012 and 2016, with 58.6% of the homicides (or 75 out of 128) involving firearms. In the overall structure of

women's and men's homicides, firearm-related deaths were common for both women and men. Two-thirds of the murdered men and slightly less than every second murdered woman were killed with firearms. Men represented the majority of victims of firearm-related homicides, accounting for 76% of all homicides, compared to 24% for women. This amounts to 57 reported cases of firearm-related homicide in which the victim was a man and 18 cases in which the victim was a woman. Men accounted for 78.7% and women 21.3% of those injured by firearms. However, in terms of firearm misuse, suicides accounted for the majority of all firearm-related deaths at 56.1%, followed by murders (41.7%) and accidental deaths (2.2%). Disaggregated data by sex and age regarding the number of firearm suicides have not been documented.

The misuse of firearms and domestic violence

Every third homicide in the Republic of North Macedonia was committed in the domestic context. From 2012 to 2016, 42 people were killed by family members, whether by a firearm or by different means, representing 32.8% of all homicides in the country. Domestic violence affected both women and men, with men accounting for 64.3% of the persons killed by family members during the survey period (27) and women accounting for 35.7% of the victims (15). Of those homicides committed in a domestic context, 23.8% were committed by an intimate partner. Intimate partner violence with a lethal outcome disproportionately affected women, with striking gender differentiation.

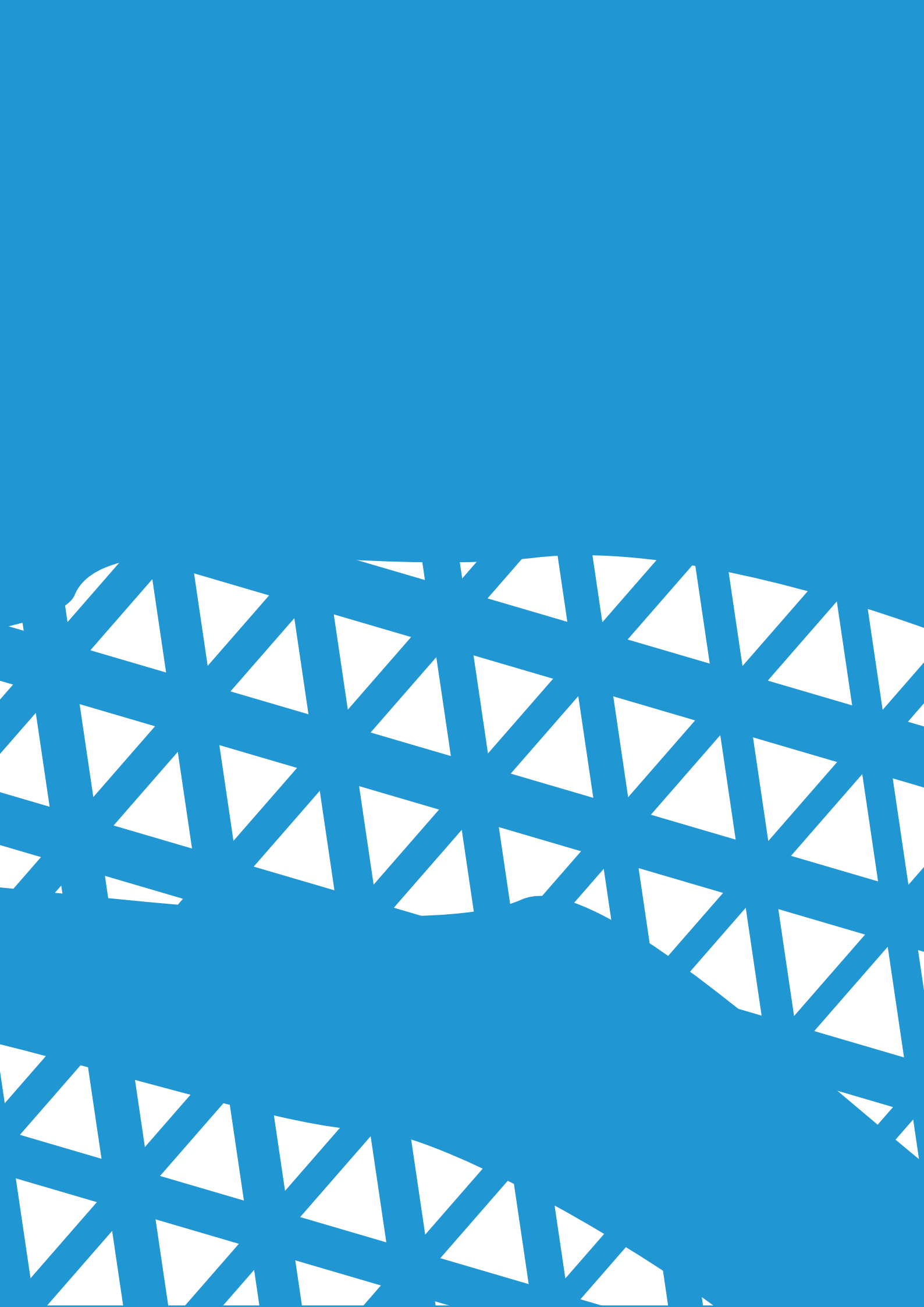
Women accounted for all victims of intimate partner homicides, with no cases reported of men having been killed by their intimate partner during the survey period. Intimate partner homicides accounted for the overwhelming majority (66.7%) of the female homicides committed in a domestic context. Furthermore, every fourth woman murdered during the survey period was murdered by her former or current intimate partner. Throughout the survey period, no applications for firearms were rejected on the grounds of domestic violence, which is at odds with the high incidence of domestic violence in the Republic of North Macedonia⁷ and with Article 12 of Law 10-4024/10, which allows for the rejection of a firearm license application based on "disturbed family relations" and "domestic violence." A marginal 2.4% were revoked in 2012 on domestic violence grounds, though this increased to 7.9% by 2016.

Gendered aspects of demand and misuse of firearms

In Republic of North Macedonia, the majority of respondents (76%) said they would not own a gun. Women (85%) were more likely than men (64%) to report they would not own a gun.

Demand for firearms is highly gendered. 35.5% of men and 15% of women surveyed in 2017 indicated that they would own a gun. Men aged 16 to 24 and those older than 65 were documented as most likely to say they would own a gun. Those respondent groups who were most dominant in stating that they would own a gun were men aged 16 to 34 and over 65 (42%). A majority of respondents indicated feeling that the presence of a gun at home would make them feel less safe (58%) rather than safer (42%). More men (49%) than women (37%) said that having a gun at home improves safety.

III INTERNATIONAL FRAMEWORKS



As a UN member, the Republic of North Macedonia has undertaken obligations arising from the relevant conventions and other documents in the field of the control and non-proliferation of small arms and light weapons.⁸

The Republic of North Macedonia has particularly undertaken commitments, obligations, principles, and recommendations deriving from the following documents:

- United Nations Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) (2001);
- Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition (2001)
- The International Tracing Instrument (2005);
- The Arms Trade Treaty,
- The OSCE Document on Small Arms and Light Weapons (adopted in 2000 and reissued in 2012),
- Common Position of the Council of the European Union 2008/944/CFSP laying down common rules governing the control of exports of military technology and equipment.

With respect to gender equality, the Republic of North Macedonia has signed, ratified, and/or joined:

- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Optional Protocol to this convention,
- The Council of Europe Convention on preventing and combating violence against women and domestic violence,
- UNSCR 1325 (2000).

The last two decades have seen a gradual convergence between the global agendas on sustainable development, gender equality, the sustaining peace agenda, and small arms and light weapons control.

The **Programme of Action on Small Arms (PoA)**, adopted in 2001 by the UN General Assembly as a politically binding instrument, established a normative framework for small arms and light weapons control covering a broad spectrum of issues, including improved national small arms laws, import/export controls, and stockpile management. The PoA includes one gender-related reference in its expressing of concerns about the negative impact of the illicit trade in small arms and light weapons on “women and the elderly”⁹ in its preamble. The **Outcome Document of the Third Review Conference**¹⁰ (2018) of the UN PoA renewed the commitment to prevent, combat, and eradicate the illicit trade in small arms and light weapons and highlighted the necessity for further integration of the gender perspective in small arms control.

In that regard, the States were called to:

- increase understanding of the gender-specific impacts of the illicit trade in small arms and light weapons;
- promote the full participation and representation of women in policy making, planning, and implementation processes related to the implementation of the PoA, including their participation in national small arms commissions;
- collect disaggregated data by gender;
- seriously consider increased funding for policies and programmes that take into account the differing impacts of illicit small arms and light weapons on women, men, girls, and boys;
- mainstream gender considerations into small arms and light weapons policies and programmes, including in the areas of programme design, planning, implementation, monitoring, and evaluation in their implementation efforts;

8] This section builds on the UNODA Training Manual on Gender-mainstreaming Small Arms Control, (unpublished).

9] It should be explicitly noted here that there is no reference to the UNSCR 1325, which was adopted in 2000.

10] https://www.un.org/en/ga/search/view_doc.asp?symbol=A/CONF.192/2018/RC/3&referer=/english/&Lang=E

- exchange national experiences, lessons learned, and best practices on mainstreaming gender dimensions into policies and programmes;
- ensure coordination between relevant national authorities in the implementation of the PoA and other authorities working on gender quality and women's affairs, including women's civil society groups.

The **Arms Trade Treaty** (ATT) is a multilateral treaty that regulates the international trade in conventional weapons which was adopted by the General Assembly in 2013 and entered into force in 2014. In 2020, it was passed by 100 State Parties,¹¹ which committed themselves to applying common standards in the international legal trade in conventional arms and ammunition. The ATT is the first legally binding treaty that recognizes the link between the arms trade and gender-based violence and calls states to take into account “the risks of conventional arms being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children” (Article 7.4). In addition, the CEDAW Committee has called for the full implementation of the Arms Trade Treaty.¹²

These strategies linking the global disarmament agenda and gender equality, including gender-based violence, develop a future path for a more coherent, holistic, and effective response at the global, regional, and national levels that should lead to violence prevention and reduction.

Simultaneously, human rights instruments developed in the areas of gender equality, peace and security, small arms and light weapons, and, most recently, to meet the goals of the 2030 Agenda for Sustainable Development, are increasingly recognizing and including the gender perspective into their agendas.

This convergence is also visible in the growing inclusion of small arms control concerns in the Women, Peace and Security agenda. With the adoption of UNSCR 1325 (2000)¹³, the Security Council addressed the disproportionate and unique impact of armed conflict on women for the first time. In addition to United Nations Security Council Resolution (UNSCR) 1325, there are nine other resolutions on Women, Peace and Security: 1820 (2008)¹⁴, 1888 (2009)¹⁵, 1889 (2009)¹⁶, 1960 (2010)¹⁷, 2106 (2013)¹⁸, 2122 (2013)¹⁹, 2242 (2015)²⁰, 2467 (2019)²¹, 2493 (2019)²².

The 2030 Agenda for Sustainable Development,²³ adopted by all United Nations Member States in 2015, sets 17 Sustainable Development Goals (SDGs), which represent an urgent call for action by all countries in a global partnership. SDG 5 - *Achieve gender equality and empower all women and girls*, and SDG 16 - *Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*, are at the centre of women's empowerment and arms control efforts that should be undertaken on a national level. Each of these goals sets a specific target that needs to be attained. SDG 5 - *Achieve gender equality and empower all women and girls*, contains two targets that are relevant to this analysis: Target 5.2. - Eliminate all forms of violence against all women and girls in the public and

11] https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVI-8&chapter=26&clang=_en

12] Gender responsive Small Arms Control in the Decade of Action for the SDGs, Pathfinders for Peace, Just and inclusive Societies, February 2020.

13] UNSC (United Nations Security Council). 2000. Resolution 1325 (2000), adopted on October 31, 2000. S/RES/1325 of 31 October 2000. [https://undocs.org/S/RES/1325\(2000\)](https://undocs.org/S/RES/1325(2000)).

14] UNSC (United Nations Security Council). 2008. Resolution 1820 (2008), adopted on June 19, 2008. S/RES/1820 of 19 June 2008. [https://undocs.org/S/RES/1820\(2008\)](https://undocs.org/S/RES/1820(2008))

15] UNSC (United Nations Security Council). 2009. Resolution 1888 (2009), adopted on September 30, 2009. S/RES/1888 of 30 September 2009. [https://undocs.org/S/RES/1888\(2009\)](https://undocs.org/S/RES/1888(2009))

16] UNSC (United Nations Security Council). 2009. Resolution 1889 (2009), adopted on October 5, 2009. S/RES/1889 of 5 October 2009. [https://undocs.org/S/RES/1889\(2009\)](https://undocs.org/S/RES/1889(2009))

17] UNSC (United Nations Security Council). 2010. Resolution 1960 (2010), adopted on December 16, 2010. S/RES/1960 of 16 December 2010. [https://undocs.org/S/RES/1960\(2010\)](https://undocs.org/S/RES/1960(2010))

18] UNSC (United Nations Security Council). 2013. Resolution 2106 (2013), adopted on June 24, 2013. S/RES/2106 of 24 June 2013. [https://undocs.org/S/RES/2106\(2013\)](https://undocs.org/S/RES/2106(2013))

19] UNSC (United Nations Security Council). 2013. Resolution 2122 (2013), adopted on October 18, 2013. S/RES/2122 of 18 October 2013. [https://undocs.org/S/RES/2122\(2013\)](https://undocs.org/S/RES/2122(2013))

20] UNSC (United Nations Security Council). 2013. Resolution 2242 (2015), adopted on October 13, 2015. S/RES/2242 of 13 October 2015. [https://undocs.org/S/RES/2242\(2015\)](https://undocs.org/S/RES/2242(2015))

21] UNSC (United Nations Security Council). 2019. Resolution 2467 (2019), adopted on April 23, 2019. S/RES/2467 of 23 April 2019. [https://undocs.org/S/RES/2467\(2019\)](https://undocs.org/S/RES/2467(2019))

22] UNSC (United Nations Security Council). 2019. Resolution 2493 (2019), adopted on October 29, 2019. S/RES/2493 of 29 October 2019. [https://undocs.org/S/RES/2493\(2019\)](https://undocs.org/S/RES/2493(2019))

23] <https://sdgs.un.org/goals>

private spheres, including trafficking and sexual and other types of exploitation; and Target 5.5. - Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life including trafficking and sexual and other types of exploitation. SDG 16 - *Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels*, includes five relevant targets: Target 16.1. - Significantly reduce all forms of violence and related death rates everywhere; Target 16.2. - End abuse, exploitation, trafficking, and all forms of violence against and torture of children; Target 16.4. - By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets, and combat all forms of organized crime; Target 16.6. - Develop effective, accountable, and transparent institutions at all levels; and Target 16.7. - Ensure responsive, inclusive, participatory, and representative decision-making at all levels.

At the 2021 High-Level Political Forum on Sustainable Development, the Republic of North Macedonia submitted the **Sustainable Development Goals Voluntary National Review**.²⁴ One of the key challenges identified by the state under Goal 5 is "the strengthening of data collection, especially with regards to cases of violence against women with disabilities, convictions and imposed sentences on perpetrators" (page 40). Under Goal 16 the state has announced that it will stay focused on countering the trafficking of human beings and the smuggling of migrants, drugs, and firearms, as well as on the protection of vulnerable groups of people. It has also recognized that key challenges it faces are the insufficient flow of information between the Centres for Social Work and other institutions and insufficient coordination between health care institutions, educational institutions, Centres for Social Work, and the police. However, there are no concrete actions listed under the next steps which the state plans to undertake to address these key challenges in the future regarding these goals (page 86-88).

Securing our Common Future: An Agenda for Disarmament launched by the UN Secretary General in 2018 *outlines a vision of disarmament actions that help set our world on a path towards sustainable peace and security for all*. The agenda calls on all States to *incorporate gender perspectives in the development of national legislation and policies on disarmament and arms control, including consideration of the gendered aspects of ownership, use and misuse of arms; the differentiated impacts of weapons on women and men; and the ways in which gender roles can shape arms control and disarmament policies and practices*.

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic violence (Istanbul Convention) came into force in 2014 and represent the first legally binding document to comprehensively tackle violence against women and domestic violence. Under the Convention, "violence against women" is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. The Convention requires criminalization or otherwise sanction the following behaviours: domestic violence (physical, sexual, psychological or economic violence), stalking, sexual violence, including rape, sexual harassment, forced marriage, female genital mutilation; forced abortion and forced sterilization. The Convention is based on four pillars²⁵:

- **Prevention** of violence through sustained measures that address its root causes and aim at changing attitudes, gender roles and stereotypes that make violence
- **Protection** of women and girls and setting up specialist support services for victims and their children (shelters, round-the-clock telephone helplines, rape crisis or sexual violence referral centres);
- **Prosecuting** the perpetrators, including enabling criminal investigations and proceedings to continue, even if the victim withdraws the complaint;
- Adopting and implementing **"integrated policies"** that are effective, co-ordinated and comprehensive, in that they encompass all relevant measures to prevent and combat all forms of violence against women.

The **Article 51 - Risk assessment and risk management** requires that all necessary legislative or

24] https://sustainabledevelopment.un.org/content/documents/26388VNR_2020_Macedonia_Report.pdf

25] For additional information see: Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence: A global tool to prevent and combat violence against women and girls, p. 4; Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence: Safe from Fear, Safe from Violence.

other measures are undertaken to ensure that the risk assessment referred duly takes into account, at all stages of the investigation and application of protective measures, the fact that perpetrators of acts of violence covered by the scope of this Convention possess or have access to firearms.

EU Strategy Against Illicit Firearms, Small Arms & Light Weapons & Their Ammunition “Securing arms, protecting citizens” seeks to preserve and protect a peaceful and secure environment for its citizens, and support security and foster development in its neighbourhood and the wider world. Incorporating gender and diversity aspects in SALW-control projects and action is one of key principles which guided the development of the Strategy. At the international level, the EU will systematically mainstream gender considerations in the design of new projects relating to the fight against gun violence and SALW control in general, and the sharing of good practices in this regard.

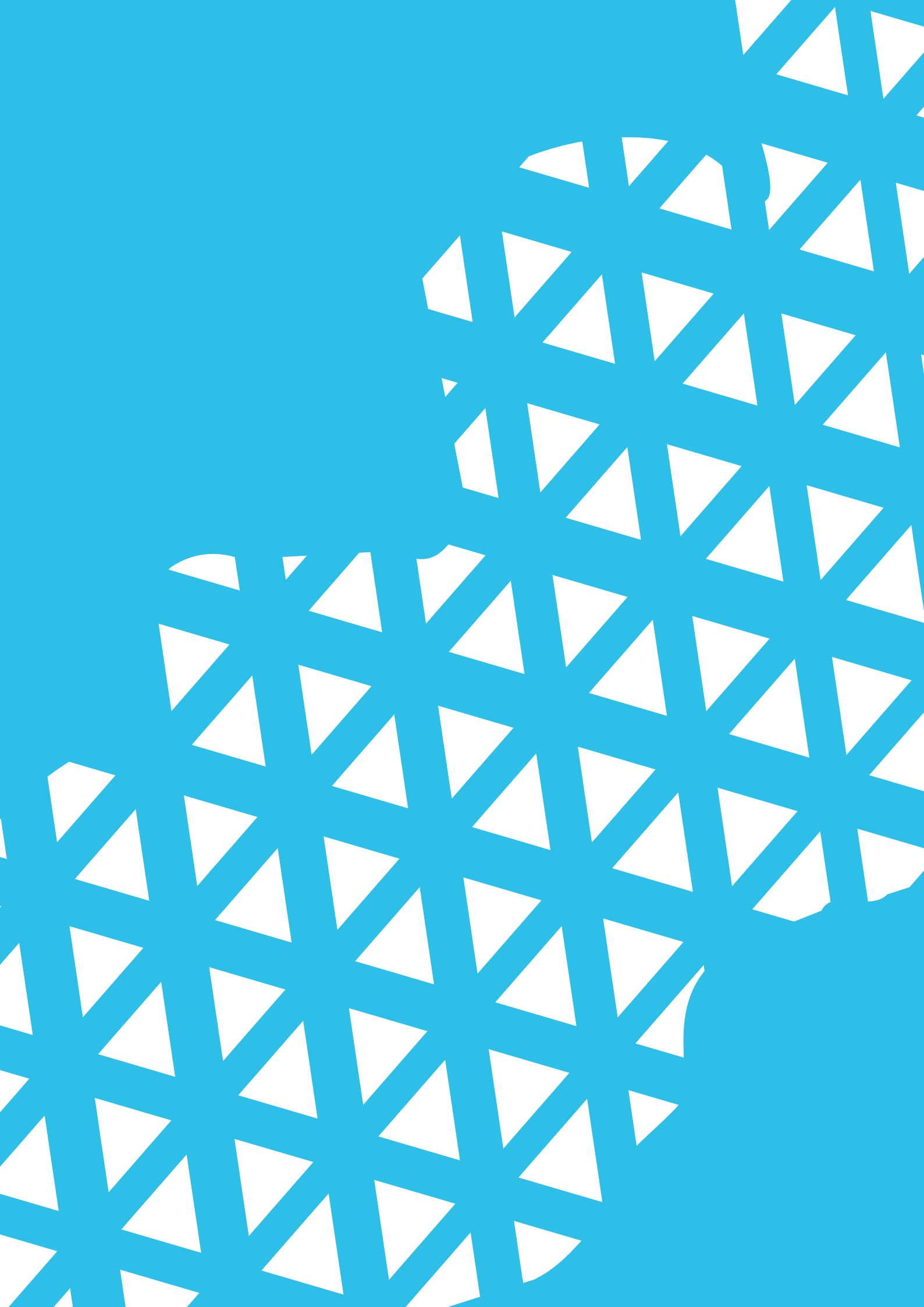
The Republic of North Macedonia is committed to the implementation of the **Roadmap for a Sustainable Solution to the Illegal Possession, Misuse, and Trafficking of Small Arms and Light Weapons (SALW) and their Ammunition in the Western Balkans by 2024**.²⁶ The Roadmap was developed by the Western Balkans authorities with SEESAC’s technical support under the auspices of France and Germany and in consultation with the EU and all other relevant actors. The Roadmap includes seven goals, including ensuring that arms control legislation is in place, that it is fully harmonized with the EU regulatory framework, and that other related international obligations be standardized across the region by 2023. And by 2024: the arms control policies and practices in the Western Balkans should be evidence-based and intelligence-led; the illicit flows of firearms, ammunition, and explosives into, within, and beyond the Western Balkans should be significantly reduced; the supply-demand and misuse of firearms should be reduced through increased awareness, education, outreach, and advocacy; and the estimated number of firearms in illicit possession should be substantially decreased in the Western Balkans. Additionally, as part of the Roadmap goals, the Western Balkans should systematically decrease surplus SALW and ammunition and destroy such elements seized, as well as significantly decrease the risk of the proliferation and diversion of firearms, ammunition, and explosives. The Roadmap places special importance on gender equality and calls for full integration of the gender perspective and balanced representation of women into SALW control.²⁷

Due to the central relevance of the Arms Trade Treaty and the EU Common Position on Arms Export in regard to this analysis and their integration into the national legislative framework, the compliance of the national legislation with the standards set by these documents, particularly in respect to gender equality, is covered particularly and in detail in Section IV, Chapter 5.

²⁶] The Roadmap was adopted at the London Summit held on July 10, 2018.

²⁷] As per the 4th Regional Progress Report (p. 45), authorities in the Republic of North Macedonia had not undertaken activities related to the integration of gender considerations.

IV GENDER ANALYSIS OF LEGISLATION AND POLICIES RELEVANT TO SMALL ARMS CONTROL IN THE REPUBLIC OF NORTH MACEDONIA



1. LEGISLATIVE AND POLICY PRECONDITIONS FOR THE INTEGRATION OF THE GENDER PERSPECTIVE AND PARTICIPATION OF WOMEN IN SMALL ARMS CONTROL OF WOMEN IN SMALL ARMS CONTROL

This section provides an analysis of the legislative and policy preconditions and procedures which enable and mandate the integration of the gender perspective into firearms control. In addition, the regulatory preconditions for the balanced representation and participation of women in firearms control are outlined.

THE BASIS FOR THE INTEGRATION OF THE GENDER PERSPECTIVE INTO SMALL ARMS CONTROL

The Law on Equal Opportunities of Women and Men (consolidated version 150/2015) provides a robust basis for mainstreaming gender in small arms control. The law regulates the establishment of equal opportunities and equal treatment of women and men, the general and special measures for the establishment of equal opportunities for women and men, the rights and obligations of the responsible entities in ensuring equal opportunities for women and men, the procedures for determining unequal treatment of women and men, and the rights and duties of the legal representative for equal opportunities for women and men (hereinafter: the representative) as a designated person for conducting a procedure for determining unequal treatment of women and men (Article 1, para. 1). The law (Article 2, para. 2) further stipulates that the establishment of equal opportunities for women and men shall be regulated by this and other laws that regulate the issues of interest for the equal opportunities for women and men in all spheres of social life.

²⁸The establishment of equal opportunities is recognized as a concern of the entire society, i.e., of all entities in the public and private sector and shall constitute the elimination of obstacles and the creation of conditions for achieving full equality between women and men.

The law defines the mainstreaming of a gender perspective as *the integration of the gender perspective in each phase of the process of building, adopting, implementing, monitoring, and evaluating policies - at the same time, considering the promotion and improvement of equality of women and men* (Article 4).

Furthermore, the law stipulates two different types of measures for the establishment of equal opportunities for women and men: general and special measures. *General measures*²⁹ include the integration of the gender perspective in legislation and measures that introduce the systematic inclusion of equal opportunities for women and men in the process of the creation, implementation, and monitoring of policies and budgets in special social spheres, including the exercise of the functions and competencies of the entities of the public or private sector (Article 5). Special measures are temporary measures taken in order to overcome the existing unfavourable social position of women and men, which is a result of systematic discrimination or structural gender inequality arising from historical and socio-cultural circumstances (Article 7, item 1).

THE SMALL ARMS AND LIGHT WEAPONS CONTROL STRATEGY AND THE 2017 – 2021 ACTION PLAN

The overall goal of this Strategy is *to create a safer environment and control of small arms and light weapons in society in order to foster the conditions for improving general security in the Republic of North Macedonia*. In addition, the Strategy sets five Strategic Goals: 3.1 Control over the trade and production of legal firearms and ammunition; 3.2 Combating the trade of illegal firearms and preventing armed incidents and the proliferation, diversion, and illegal possession of firearms; 3.3 Cooperation and coordination on the national, regional, and international levels; 3.4 Strengthening capacities in combating the illegal arms trade; and 3.5 Reducing the availability, demand, and misuse of firearms through raising awareness, education, information, and lobbying.

²⁸ Such as in the fields of: health protection and health insurance, social protection, access to goods and services, the economy, labour relations and employment, education and professional development, economic and proprietary relations, the use of public products and services (consumer rights), culture and sport, information and communication technologies, defence and security, the judiciary, administration, housing, public information and media, state and public administration, and other spheres of social life.

²⁹ General measures for implementation of the principle of equal opportunities for women and men shall be normative measures in the fields of: health protection and health insurance, social protection, access to goods and services, the economy, labour relations and employment, education and professional development, economic and proprietary relations, the use of public products and services (consumers' rights), culture and sport, information and communications technologies, defence, the judiciary, administration, housing, public information and media, state and public administration, and other spheres defined by this or another law whereby gender-based discrimination is prohibited. General measures for the implementation of equal opportunities shall also constitute those measures for the implementation of full equality between women and men, defined by the policies and programs for the systematic promotion of the principle of equal opportunities for women and men and of respect for differences, for changing the social and cultural customs in terms of women's and men's behaviour, for the elimination of prejudices, as well as any for other practice based on the inferiority or superiority of one or another gender or on the traditional social role of men or women.

The Strategy explicitly commits to advancing gender equality within small arms control and aims to mainstream the gender perspective across different areas of SALW control. This is explicitly articulated in Specific Goal 3.1.6 *which calls for the full integration of gender and age issues into SALW control policies and for ensuring the significant participation of women in SALW issues.* In order to achieve this, the Strategy envisages a wide range of activities such as:

a) Under Goal 3.1, Imposing control over the trade and production of legal weapons and ammunition, and under Specific Goal 3.1.6., the following activities are planned:

- *training on the gender aspects of SALW/firearms for members of SALW commissions and other relevant institutions;*
- *amendments to the Law on Weapons from 2018 addressing the misuse of firearms in cases of domestic violence;*
- *preventive measures to address the influence of gender roles and dominant masculine attitudes in stimulating the demand and misuse of firearms, especially among young men.*

The timeframe for the implementation of these activities is 2021 and the institution responsible for their implementation is the Ministry of Labour and Social Policy. These activities are not accompanied by a financial plan attached to implementation, while the expected sources of funding are the state budget, UNDP, SEESAC, and the EU.

b) Under Goal 3.2 - Combating illicit arms trafficking and preventing armed incidents and the proliferation, diversion, and illegal possession of firearms, and under Specific Goal 3.2.1 - Monitoring and analysis of instances of crime related to weapons, ammunition, and explosives, with data disaggregated by gender and age, the following activities are envisaged:

- *institutionalize the methodology for data collection in all relevant institutions regarding the distribution and the consequences of firearms, ammunition, and explosives, with the data disaggregated by sex and age;*
- *conduct training on gender statistics and gender sensitive data collection.*

The Ministry of the Interior, the Ministry of Defence, the Ministry of the Economy, the Ministry of Justice, the Ministry of Finance - Customs Administration, the Basic Public Prosecutor's Office, the Ministry of Health, the Academy for Judges and Public Prosecutors, and the Ministry of Labour and Social Policy are all included in the action plan as responsible for the implementation of these activities planned for 2021. There is no directly corresponding financial plan, while the expected financial source is the state budget.

c) Under Goal 3.2 - Combatting illicit arms trafficking and preventing armed incidents and the proliferation, diversion, and illegal possession of firearms, and under Specific Goal 3.2.2 - Advancing the national analytical capacities and institutionalizing firearms data analysis, the implementation of the following actions is planned:

- *training on the gender analysis of firearms data and criminal offenses committed with firearms;*
- *developing a periodic risk analysis and threat assessment; and*
- *determining where analyses/analysts are needed so as to increase their number in accordance with international standards.*

The Ministry of the Interior, the Ministry of Justice, the Ministry of Finance - Customs Administration, the Basic Public Prosecutor's Office, and the Academy for Judges and Public Prosecutors are to be responsible for the implementation of these activities that are planned to take place in 2021. There is no directly associated financial plan and the expected source of funding is the state budget.

1. LEGISLATIVE AND POLICY PRECONDITIONS FOR THE INTEGRATION OF THE GENDER PERSPECTIVE AND PARTICIPATION OF WOMEN IN SMALL ARMS CONTROL

d) Under Goal 3.5 - Reducing the availability, demand, and misuse of firearms through raising awareness, education, information, and lobbying, and under Specific Goal 3.5.1 - Raising the awareness of citizens about the dangers of using small arms and light weapons in order to reduce the presence of weapons in the community and change the “gun culture,” it is envisaged that efforts will be made to:

- conduct an analysis of the relevant target groups;
- *prepare and implement awareness-raising campaigns focused on specific groups and/or that aim at specific behaviour (boys, hunters, shooting celebrations, domestic and gender-based violence, private security, training centres, etc.);*
- conduct training on gender-sensitive communication; and
- include activities to reduce violence among young people within education.

The Ministry of the Interior, the Agency for Youth and Sports, the Ministry of Education and Science, the Ministry of Local Self-Government, and the Ministry of Labour and Social Policy are to be responsible for conducting these activities. As for the time frame, it is not set concretely but rather designated as “when needed.” No corresponding financial plan has been established, and the expected sources of funding are the state budget and international aid.

Under specific goal 3.5.4 - Increasing public trust in security institutions and improving the communication and the capabilities to help the public security institutions, actions are planned *to organize and institutionalize surveys on the perception of the use, possession, and danger of firearms that would provide gender and age disaggregated data.*

The Ministry of the Interior and Ministry of Local Self-Government are responsible for the implementation of these activities, which are envisaged for 2021. The expected sources of funding are the state budget of the Republic of North Macedonia, international aid, and SEESAC.

While the implementation of these activities is planned for 2021, the Strategy and Action plan are not accompanied by a financial plan, which has previously impeded the monitoring and evaluation of the implementation of defined commitments.

THE PARTICIPATION OF WOMEN IN SMALL ARMS CONTROL

As per the Law on Equal Opportunities of Women and Men (article 10, para 5), the Government “*shall be obliged to anticipate equal participation of women and men in the composition of its working bodies and delegations, in its consultative and coordinative bodies, and in the appointment of representatives in the governing boards of public enterprises and institutions.*” This provision is also applicable to the SALW Commission. Equal participation is defined in this law (Article 4, item 9) as: “*Equitable representation is any percentile representation of a particular gender which is not lower than the percentile representation of that gender in the total population.*”

The primary role of the National Small Arms and Light Weapons Control Commission is to plan, coordinate, and implement SALW control measures at the national level in order to provide a safer environment and control small arms and light weapons in society, thus creating conditions for improving general security in the country.

The composition of the **National SALW Commission** is determined by the Government of the Republic of North Macedonia with a decision, at the proposal of the relevant ministries and other institutions.³⁰ Relevant participants represented in the National SALW Commission are: the Ministry of the Interior (representatives of relevant services working on this issue); the Ministry of Foreign Affairs; the Ministry of Defence; the Ministry of Finance - Customs Administration of the Republic of North Macedonia; the Ministry of Justice; the Ministry of Education and Science; the Ministry of

Agriculture, Forestry, and Water Economy; the Ministry of the Economy; and the Ministry of Labour and Social Policy. The President of the National Commission shall be a person in a high managerial position in the Ministry of the Interior (i.e., the State Secretary or Director of the Public Security Bureau). However, as only those that are implementing SALW intervention projects are referenced, this may seriously hamper the participation of women's CSO's and lead to their exclusion, unless there is a clear understanding of linkages between gender and SALW.

Upon the invitation of the National SALW Commission, the following institutions may take part in the work of the commission: the Ministry of Local Self-Government; the Ministry of Health; the Basic Public Prosecutor's Office; the Agency for Youth and Sports; and the Agency for the Management of Confiscated Property.

The National Commission for the Control of Small Arms and Light Weapons shall, as needed, i.e., when it is assessed that a certain issue on the agenda of the National Commission for SALW should be considered and that there are points of contact with their work, invite to participate representatives from non-governmental organizations and international organizations that are directly involved in implementing SALW intervention projects.

The Decision on establishing a National Commission for Light and Small Weapons (Official Gazette 177/2019), passed by the Government on August 27, 2020, also states that the members of the commission are to be appointed for a term of four years, with a possibility to be reappointed. The National Commission is to submit to the Government of the Republic of North Macedonia a report on its work at least once a year, drafted by the relevant participants represented in the National SALW Commission from the Ministry of Labour and Social Policy. The decision does not specify the position of the representatives of this Ministry, unlike the provision stating that on behalf of the Ministry of the Interior those representatives from relevant services working on these issues will be invited. In that regard, the decision does not ensure that a representative of the gender equality mechanism, the Sector for Equal Opportunities, is appointed to the commission.

The Small Arms and Light Weapons Control Strategy and 2017 – 2021 Action Plan, under Goal 3.1 - *Control over the Trade and Production of Legal Firearms and Ammunition*, envisages a specific goal related to women's participation – Goal 3.1.6 - *The Full Integration of Gender and Age Issues into SALW/Firearms Control Policies and Ensuring the Significant Participation of Women in SALW/Firearms Control*. However, this goal is not accompanied by concrete activities related to women's participation, nor is there a clear set of procedures on how their participation will be assured.

The Second National Action Plan of the Republic of North Macedonia for the Implementation of UN Security Council Resolution 1325 – Women, Peace and Security 2020-2025 contains a specific goal related to women's participation. The Strategic Goal 2 SG2 aims to enable a gender transparent, inclusive and equal working environment for women and to ensure effective, accountable and sustainable women's participation in all aspects of society through appropriate through adoption and implementation of supporting legislation and policies as well as training and education.

The Action Plan also “recognizes that, by a massive margin, women are the predominant victims of gender-based violence.” Furthermore, it is stated that “*Strategic Goal 4 – Protection* will look not just at the mechanisms for providing legal and enforcement protections for women but will seek to address the cultural and behavioural drivers behind gender and sexual violence.” Under this goal it is highlighted that *emphasis will be placed on the development of legislation and policies that include explicit references to the protection of women from any form of violence, the impact of arms, armed conflict, and sexual violence directed towards women and on the key role of women's participation in small arms control.*

Unfortunately, activities, a time-frame, a financial plan, and the responsible institutions for the implementation of this strategy are not clearly articulated

Box 1:
**Gender
equality
mechanisms
in the Republic
of North
Macedonia**

In accordance with this Law there are a number of institutions responsible for the adoption and implementation of gender related measures, including: the Assembly, the Government, state administrative bodies, the Ministry of Labour and Social Policy, the Ombudsperson, local-self-government units, political parties, and mass media.

The **Assembly of the Republic of North Macedonia** shall adopt a

1. LEGISLATIVE AND POLICY PRECONDITIONS FOR THE INTEGRATION OF THE GENDER PERSPECTIVE AND PARTICIPATION OF WOMEN IN SMALL ARMS CONTROL

strategy for gender equality and shall monitor its implementation in sector policies and programs and shall cooperate with social partners, non-governmental organizations, and other public institutions in the corresponding fields (Article 9, item 3). The Assembly is to form and define the composition and competencies of the Commission for Equal Opportunities for Women and Men as a standing working body, which, among other duties, shall review the draft laws and other regulations adopted by the Assembly and the Budget of the Republic of North Macedonia, other draft laws and regulations with regard to the inclusion of the gender concept therein, and the draft strategy for gender equality.

In addition, the **Government of the Republic of North Macedonia** (Article 10, item 2) *shall propose a strategy for gender equality and submit it to the Assembly. The Government shall form an interministerial consultative and advisory group for equal opportunities for women and men, composed of functionaries/managerial civil servants, representatives of citizens organizations, employers' associations, experts, representatives of local self-governments, unions, and other relevant entities (Article 10, item 6). The interministerial group is obliged to promote the concept of the inclusion of gender aspects in the general policies of all public institutions, to monitor the integration of the concept in the sector policies in cooperation with social partners and institutions in particular fields, to monitor the progress of harmonization of the national legislation with the legislation of the European Union, to provide direction in the process of preparing the strategy for gender equality, and to monitor the periodical reports from the relevant institutions (Article 10, item 8). The work of this group is to be coordinated by the Ministry of Labour and Social Policy (Article 10, item 9).*

In addition to the Government's responsibilities, the responsibilities of the **state administrative bodies** are envisaged in Article 11. According to items 1, 3, and 4, they are to: *within the framework of their competencies, promote and improve equal opportunities by undertaking the general and special measures; within the framework of their strategic plans and budget, to incorporate the principle of equal opportunities for women and men, to monitor the effects and impact of their programs on women and men, and to provide information within their annual reports. Finally, they are obliged to appoint an official coordinator and vice-coordinator who shall coordinate the activities under the competence of the state administrative body aimed at establishing equal opportunities.*

The Ministry of Labour and Social Policy plays a central role in integrating the gender perspective in policies and laws and making sure that policies are in compliance with the undertaken international commitments. The ministry shall (Article 12):

- *exercise care for the introduction of the principle of equal opportunities in the mainstream of the reorganization, promotion, development, and evaluation of political processes at all levels and in all stages, at both the national and local levels;*
- *offer an opinion on proposals for the adoption of general and special measures for the establishment of equal opportunities for women and men and monitor their application;*
- *cooperate with the Commission for Equal Opportunities for Women and Men in the Assembly in the preparation of laws, strategic documents, and reports;*
- *submit to the Government or the competent ministries proposals for the adoption of amendments to laws and other regulations significant for the establishment of equal opportunities, as well as for the adoption of general and special measures; prepare the draft strategy for gender equality and the plans for its implementation; monitor its implementation and publish annual reports about the activities and results of its implementation;*
- *in cooperation with the Ministry of Foreign Affairs, monitor the implementation of international agreements related to equal opportunities for, and the promotion of the status of, women;*
- *prepare national reports regarding the fulfilment of international obligations by the Republic of North Macedonia in the field of equal opportunities;*
- *prepare analyses, reports, and other documents related to equal opportunities and publish them on the web site of the Ministry, etc.*

Gender Responsive Budgeting

The Methodology for Gender-Responsive Budgeting for State Administrative Bodies at

the Central Level³¹ is an instrument and guide for the successful implementation of the obligations arising from the Law on Equal Opportunities for Women and Men and the Strategy for the Introduction of Gender-Responsive Budgeting 2012-2017. Gender-Responsive Budgeting is an integral part of budget preparation and visibility is provided by developing output indicators disaggregated by gender within the Circular Budget and preparing a Gender Responsive Budget Statement. Consequently, after the end of the fiscal year, all state administrative bodies involved in implementing gender-responsive budgeting are to prepare a Report on Gender-Responsive Budgeting. According to the methodology, the government is implementing the second phase of the cycle of gender responsive budgeting covering all state administration bodies³² at the central level, with a selection of programmes, sub-programmes, and projects whose effects and impacts are to be continuously monitored and is striving to improve the well-being of women and men. This phase began in 2017. From 2019, once when the institutions were to be fully prepared, gender-responsive budgeting was to be accommodated to monitoring horizontal programs due to the complexity and enhanced coordination required, as well as due to the already established capacities for gender-responsive budgeting.

The use of gender-responsive budgeting represents an important starting point for advancing the implementation of commitments to gender equality foreseen in the Small Arms and Light Weapons Control Strategy.

31] <https://www.mtsp.gov.mk/content/word/metodologija.doc>

32] The last Report on Gender Responsive Budgeting of the Ministry of Interior is available at: [https://www.mvr.gov.mk/Upload/Editor_Upload/извештај%20за%20ПОБ%20за%202019%202%20\(1\).pdf](https://www.mvr.gov.mk/Upload/Editor_Upload/извештај%20за%20ПОБ%20за%202019%202%20(1).pdf), accessed on January, 21, 2021.

2. LINKAGES BETWEEN FIREARMS AND DOMESTIC VIOLENCE

This section provides an extensive analysis of the legislative response to risks related to the presence and misuse of firearms in the domestic violence context. The analysis addresses both civilian firearms possession and the access to and carrying of service firearms by authorized personnel across the security sector, including private security companies. The procedures for firearm license approval, renewal, and revocation are examined with respect to the prevention of firearms misuse in the domestic context. Gaps in background checks/security vetting procedures are thoroughly mapped.

2.1. REGULATION OF CIVILIAN POSSESSION

LICENSE APPROVAL

Civilian possession of firearms is regulated by the Law on Weapons (consolidated version 97/2018).

³³The provisions of this law do not apply to armaments and military equipment, or to weapons and ammunition intended for the needs of the Ministry of Defence, the Army of the Republic of North Macedonia, the Ministry of the Interior, penitentiary institutions, and other state bodies and legal entities determined by special regulations.

As per the Law on Weapons, firearms and ammunition may be procured only with a license issued by the Ministry of Interior. The license is issued for each procurement of firearms within six months from the submission of the request.

Authorization for the acquisition of firearms by a natural person is issued based on a previously submitted written personal request, providing that the natural person meets the following requirements: 1) has reached 18 years of age; 2) his/her functional capacity has not been revoked or limited; 3) is medically capable of owning and carrying weapons; **4) does not pose a danger to public order**; 5) has a justified reason for procuring the weapons; 6) has technical knowledge of the proper use, storage, and maintenance of weapons and knowledge of weapons regulations; and 7) has a residence on the territory of the Republic of North Macedonia with a valid ID card; if he/she is a foreigner, he/she must have a permanent residence permit on the territory of the Republic of North Macedonia, with a valid ID card for a foreigner, unless otherwise determined by a ratified international agreement (Article 9).

The Law on Weapons specifies the following **reasons as justified for applicants in acquiring firearms**: protection of their personal security, or the security of their family or property if they are seriously endangered, or if the nature of applicant's working position is such that it may endanger his/her life and property; if the person is an active member of a hunting and sports shooting association; if the person is a weapons collector; if there is a final court decision for inheriting weapons; if the person was awarded a weapon as a result of official matches in hunting or in the sport of shooting; or if the weapon was awarded by state institutions, international organizations, or by a foreign country state institution. Authorization for the procurement of firearm parts and authorization for the procurement of ammunition may be issued to natural or legal persons who hold a valid firearm license or license for the possession of firearms. The same conditions that apply for firearm acquisition are also applicable for ammunition acquisition.

DOMESTIC VIOLENCE AND LICENCE APPROVAL

Article 12 of the law considers that there is a **danger to the public order** if the natural person has been: legally convicted for a criminal act committed with intent, which is prosecuted ex officio; convicted for a misdemeanour against the public order and peace with elements of violence; there are other circumstances that indicate that the weapon may be misused, especially when the person is registered in the records of the competent authorities for frequent and excessive consumption of alcohol or the use of narcotic drugs and psychotropic substances, for **severely disrupted relations in the family**, at his/her place of residence, educational institution, or workplace, or for **domestic violence**, and the like. If a criminal or misdemeanour procedure is underway against the natural person at the time of applying for a firearm license and the person meets the other requirements for issuing a permit for the procurement of weapons, then the competent authority shall suspend the procedure for issuing approval until a final decision is made in the criminal, i.e., misdemeanour, procedure.

Notably, both “domestic violence” and “severe disruption of family relationships” are explicitly considered as grounds for the rejection of the application in a twofold manner:

³³ The Law on Weapons (consolidated version 97/2018) in Article 1, stipulates that this law regulates the conditions for the procurement, possession, carrying, storage, production, repair, disabling (deactivation) of, trade, transport, and transfer across the state border of weapons and ammunition.

2. LINKAGES BETWEEN FIREARMS AND DOMESTIC VIOLENCE

1. if the person has been legally convicted for domestic violence,
2. if circumstances indicate that firearms could be misused in the context of domestic violence, especially if domestic violence perpetrated by the applicant is registered.

BACKGROUND CHECKS / SECURITY VETTING

Requirements set in Article 12 from the Law on Weapons (consolidated version 97/2018) are checked through the Mol info document³⁴ on requirements for the approval of firearms acquisition. This document contains a form of the request and implies an attachment of the request indicating that the legally prescribed conditions are fulfilled. The evidence related to the “*proof that it does not pose a threat to public order*” is marked with an asterisk which is further explained by the following statement: “Evidence marked with an asterisk (*) shall be deemed to have been submitted in support of the application and shall be obtained ex officio by the Ministry of the Interior”.

The security vetting for the requirements laid out in Article 12 of the Law on Weapons (consolidated version 97/2018) is conducted by use of data from official records kept by state bodies and institutions in accordance with Article 9, item 5. Namely, according to this provision, the authorized official in the Ministry of the Interior is obliged, within 30 days from the receipt of a request, to acquire the evidence and data needed for the fulfilment of the conditions foreseen by Article 12.

The requirement that the applicant has not been “legally convicted for a criminal act committed with intent, which is prosecuted ex officio” is verifiable and this information can be acquired from the Basic Courts and the Supreme Court, which maintain an electronic database of this data in accordance with the Rulebook on the Manner of Keeping, Editing, and Maintaining criminal records (Official Gazette 111/2004). The requirement that the applicant has not been “convicted for a misdemeanour against public order and peace with elements of violence” can be verified by either Mol internal evidence, as they are charged with deciding upon some misdemeanours, or from the courts in accordance with the Law on Misdemeanours against Public Order (consolidated version with 152/2015).

While the Law on Weapons contains provisions restricting access to firearms through the rejection of a firearms license request if domestic violence has occurred or if it is deemed that there is a risk of domestic violence, certain challenges remain:

1. Applicable legislation does not provide clear guidance on how security vetting could be performed related to “circumstances that indicate that weapons could be misused in the context of severely disrupted relations in the family or domestic violence,” unless it has been reported. That the vast majority of domestic violence cases go unreported places specific importance on the adequate checking for these risks as potential effective tools to prevent the misuse of firearms to commit domestic violence. This could be particularly relevant given the shortcomings in reporting and documenting cases of domestic violence by the police. A recent analysis of the institutional response to violence against women indicates that in some cases an inadequate understanding of domestic violence by police officers has led to delayed and inadequate responses or protection. According to the personal experiences of women who have suffered domestic violence, sometimes victims have reported the violence many times before it has finally been registered by the police. In addition, inadequate responses were documented even in cases in which women who had suffered domestic violence had indicated that the abuser possessed a firearm (Gelevska and Mishev, 2017, p. 45, *Analysis of the Legal Framework on and Institutional Response to Violence Against Women*). Furthermore, even when violence is reported, criminal charges are often rejected due to insufficient evidence. The analysis of the criminal justice protection of women who have suffered domestic violence indicates that even though all forms of domestic violence have been punishable since 2004, judicial proceedings indicate that psychological and sexual violence are still not adequately sanctioned: domestic violence is at times not fully sanctioned due to a woman's withdrawal from the criminal proceedings; the perpetrators do not receive sentences appropriate to the severity of domestic violence; and the practice of the revictimization of the women during the criminal proceedings occurs (Mihov, 2019, *Criminal Justice Protection of Women Victims*

of Domestic Violence). Challenges related to security vetting of domestic violence during the approval of an application to acquire a firearm are further highlighted by data collected for the SALW Survey published by SEESAC. Out of 48,367 firearms license applicants that were rejected between 2012 and 2016, none were rejected on the grounds of domestic violence. Yet in contrast to this, domestic violence was an overwhelmingly common reason for the revocation of firearm licenses. Of the 1,511 firearms licenses that were revoked for criminal records during the survey period, 18.5%, or 278, were revoked on the grounds of domestic violence. All these licenses were held by men.

2. It is worth noting that the Law on Police (consolidated version 64/2018) and the Law on Internal Affairs (consolidated version 275/2019) do not establish provisions related to the performance of security vetting for natural persons, including persons applying for a firearm license. The Ministry of the Interior prescribes security vetting procedures only for persons that are employed, or seeking employment, by the Ministry and there is a Bylaw or Rulebook on how this vetting is to be performed.
3. Currently there are **no provisions** in the Law on Weapons (consolidated version 97/2018), or any accompanying bylaws **mandating interviews with current and former partners and other family members**, including neighbours, when the requirement regarding domestic violence is checked. Such practices could provide significant information in determining whether the acquisition of firearms would place an intimate partner or a child in reasonable fear or danger of the use of firearms to commit any form of domestic violence, including psychological violence and threatening.
4. There is no provision mandating that security vetting procedures include consultation with the Centre for Social Work, particularly when checking for any history of domestic violence.
5. In addition, the Law on Weapons (consolidated version 97/2018) does not lay out an obligation of the responsible state institution to **notify current or former spouses** or other close family members about the submission of an application by an applicant for the acquisition of firearms.
6. According to current legal provisions, **decisions on an issued temporary restraining order** for the prevention of acts of domestic violence are not referenced as one of the conditions for security vetting in the Law on Weapons.

As these measures could lead to enhanced prevention and effective suppression of domestic violence in regard to the circumstances stated in Article 12, item 3 of the Law on Weapons, it is necessary that further regulations be adopted on both the type of evidence that is gathered and how it is gathered through the passage of a specific bylaw.

Bearing in mind that the legal regulation of additional forms of gender-based violence, including stalking, is pending, it should be emphasized that all such forms of violence should be taken into action in this context as well.

While all forms of domestic violence are criminalized by the Criminal Code (consolidated version 248/2018)³⁵, there is no specific provision stating whether all forms of domestic violence such as

35] **Psychological forms of violence in this context** are defined and sanctioned according to the following legal descriptions: 1) Coercion, under Article 139, para. 2, for which the legislator it to issue a sentence of imprisonment of 6 months to 3 years. This act is committed by a person who, by force or serious threat, forces another to do, not to do, or to suffer something against his/her will; 2) Unlawful deprivation of liberty, Article 140, para. 2, for which the legislator is to issue a sentence of imprisonment of 6 months to 3 years. This crime is committed by someone who illegally imprisons, deprives, or restricts the freedom of movement of another person; and 3) Endangering security, Article 144, para. 2, for which the legislator is to issue a sentence of imprisonment of 3 months to 3 years. This act is committed by one who endangers the safety of a victim of domestic violence with a serious threat to attack the life and body of the victim of domestic violence or the life and body of a close person. **Physical forms of this kind of violence** are defined and sanctioned according to the following legal descriptions: 1) Murder, Article 123, para. 2, item 2, for which the legislator is to issue a sentence of imprisonment of at least 10 years up to life imprisonment. This act sanctions "One who takes another life while committing domestic violence." If the defendant engaged in an attempt to deprive the life of another, but there was no deprivation of life of the other person, it is qualified as attempted murder, Article 123, para. 2, indent 2, in connection with Article 19 of the Criminal Code. This charge is a basis for a lesser punishment, but the convicted party does not have to be punished more leniently; 2) Manslaughter, Article 125, for which the legislator is to issue a sentence of imprisonment of one to five years. The definition of this crime is: "One who deprives another of life in a moment, brought about without guilt through a state of strong irritability, aggravated by an attack or severe insult, or as a consequence of domestic violence by the murdered."; 3) Bodily injury, Article 130, para. 2, for which the legislator is to issue a sentence of imprisonment of 6 months to 3 years. This act is committed by a person who physically injures another or impairs his/her health. Most commonly, the perpetrator physically attacks the victim and inflicts bodily injuries on him/her or humiliates, insults, or ignores her, etc., whereby the victim is impelled into a special mental state, i.e., her health is disturbed.; 4) Severe bodily injury, Article 131, para. 2, for which the legislator is to issue a sentence of imprisonment of 1 to 5 years. This act is committed by a person who seriously injures another or seriously impairs the health of the victim of domestic violence and inflicts severe bodily injury or severe damage to the health of the victim of domestic violence.; 5) Severe bodily injury, Article 131, para. 6, for which the legislator is to issue a fine or a sentence of imprisonment of up to 3 years. According to Art. 131, para. 6 of the Criminal Code, the legislator shall favor the victim of domestic violence if he/she advances upon the perpetrator in a state of strong irritation provoked momentarily and by no fault of the victim of domestic violence and if the victim seriously injures the perpetrator. The **sexual forms of this kind of violence** are defined and sanctioned according

2. LINKAGES BETWEEN FIREARMS AND DOMESTIC VIOLENCE

physical, psychological, sexual, economic are considered when checking for “domestic violence” as a required condition for evaluation if these forms have not been legally sanctioned.

The health ability of an applicant for possessing a firearm is assessed according to Article 11 of the Law on Weapons (consolidated version 97/2018). The health ability to possess and carry a weapon according to Article 9, paragraph 1, item 3 of the Law on Weapons is determined by a medical examination and must be proved by a medical certificate. The medical certificate cannot be older than one year. The Minister of Health, in agreement with the Minister of the Interior, has a legal obligation to prescribe the type and manner of performing the medical examination to determine the health ability to possess and carry a weapon, the list of diseases and health conditions that make the person incapable of possessing and carrying a firearm, and the manner and procedure of issuing the medical certificate. The medical examination must be performed by health institutions determined by the Minister of Health in agreement with the Minister of the Interior.

There are nine health institutions assigned this designation (Decision no. 10-9767/1 from June 26, 2007, Official Gazette 83/2007). In addition, there is a Rulebook on the Type and Manner of Performing the Medical Examination to *Determine the Health Condition for Possessing and Carrying Firearms, the List of Diseases and Health Conditions that Make a Person Incapable of Possessing and Carrying Firearms, and the Manner and Procedure of Issuing Medical Certificates* (Official Gazette 98/2005). The Rulebook has an appendix containing a list of the diseases and health conditions that make a person incapable of possessing and carrying a weapon, comprising eight categories: neurological, psychological, and psychiatric conditions and diseases; conditions and diseases of the organ of sight; conditions and diseases of the organ of balance and hearing; conditions and diseases of the heart and blood vessels; conditions and diseases of the respiratory system; diseases of the gastrointestinal and urinary systems; diseases of the endocrine system; and diseases of the blood system. As is evident, the assessment covers a wide spectrum of disease categories.

Whether these categories are linked to or sufficiently indicative of a risk that domestic violence could occur requires further consideration by relevant professionals.³⁶ In addition, the duration of license validity with respect to health conditions might require further scrutinization.

LICENSE RENEWAL

To renew a firearms license, the same set of conditions must be met by the natural person as in the procedure for the approval of an application for the acquisition of firearms. In this regard, the procedure for the renewal of a firearm license should consider the risk of domestic violence as stipulated by Article 12 of the Law on Weapons. After the validity of a license expires (the validity period is up to ten years, or for persons older than 65 up to five years), the weapon license may be extended upon a written request of the holder, submitted to the competent authority no later than the day of its expiration.

The conditions for the renewal of the license referred to in Article 12 of the Law on Weapons (consolidated version 97/2018) are determined by the competent authority ex officio, and if the person is older than 65 years it is necessary to submit a medical certificate not older than one year according to Article 11 of this law. If a request for the extension of a weapon license is refused, the applicant has the right to appeal to the commission within 15 days from the day of the receipt of this decision.

to the following legal descriptions: 1) Rape, Article 186, for which the legislator is to issue a sentence of imprisonment of 3 to 10 years. The fundamental precondition to this crime is that the victim of domestic violence is free to decide personally on sexual intercourse or other sexual acts and if that if the victim does not want to have sexual intercourse with his/her spouse or extramarital partner, such a decision should be respected by the spouse or extramarital partner. If the abuser does not respect the will of the victim of domestic violence and by using force or threatening to directly attack the life or body of his/her spouse or extramarital partner or the life and body of his/her loved ones and forces him/her to have sexual intercourse, then this crime is committed; 2) Sexual assault by abuse of position, Article 189, para. 2, for which the legislator is to issue a sentence of imprisonment of at least 10 years. This crime is committed by a person who, while committing domestic violence, commits sexual intercourse or any other sexual act with a child who has reached the age of 14 and who has been entrusted to him/her for education, upbringing, custody, or care; and 3) Mediation in prostitution, Article 191, para. 3, for which the legislator is to issue a sentence of imprisonment of at least 10 years to a “person who recruits, seduces, incites, or lures a person into prostitution or anyone who in any way participates in the surrender of a person to another for prostitution, who for the sake of earning allows another to use sexual services, or who by force or a serious threat of the use of force, forces or fraudulently induces another person to provide sexual services in the course of domestic violence.”

^{36]} At the following link, there is a news article from 2014 titled “Tighter control, more legal gun killings” <http://inbox7.mk/archives/1626>. Among others, this article comments on the number of years of validity of the weapons license from a perspective of mental health. Namely, a very well-known psychiatrist commented that the mental health of a person can certainly change in 2 years or less and therefore the validity for 10 years for the permit represents a very long period. The doctor suggested that the health status of persons having a permit should be examined every 2 years. The article was prepared after two murders that had been committed using a legally possessed weapon.

CARRYING WEAPONS

The Law on Weapons uses the term “natural persons” for civilians that possess weapons and for civilians employed for an indefinite period in those entities legally performing private security. The first group may have a license for the possession of, but for the carrying of firearms, while the second may have a license for the carrying of firearms but may use the weapons only for the purposes of performing their duty.

The carrying of a firearm by the legal parties with a license to possess a weapon is not allowed in any way that would disturb citizens or make the weapon clearly visible (Article 30). The same provision applies to an imitation of a firearm that is not visibly different from a true firearm. Article 31 details what is and what is not allowed in carrying a firearm, including relevant bans on carrying and using the weapon. Namely, in regard to carrying a firearm, all ways of carrying a firearm that is ready for use by its holder, except for the transfer of the weapon, are here considered.

The owner or user of a firearm, when having the right to carry it, is obliged to carry the weapon in a way that does not endanger the personal safety and security of others. The carrying and use of a weapon by the owner or a licensed user of the weapon who through the use of alcohol, drugs, or other means is brought to a state in which he/she cannot understand the meaning of his/her actions or manage them is strictly forbidden. It is forbidden to carry and use firearms in a public place, except for workers who perform the duties of securing persons and property in state bodies and legal entities, in accordance with the regulations for securing persons and property. Clear rules also define the carrying of firearms by those who are using them for hunting, sport, or collection, including specific rules for distinct types of firearms.

A person carrying a firearm is obliged to also carry the relevant weapon license, i.e., the license to carry a weapon, issued in accordance with the law, and at the request of an authorized official of the competent body, the person is obliged to show the license for firearms, i.e., the license for carrying the weapon (Article 32).

FIREARMS STORAGE

The Law on Weapons (consolidated version 97/2018) and accompanying *Rulebook on the Program for Training in the Proper Use, Storage, and Maintenance of Firearms* regulate the storage of the weapons and ammunition for both natural persons and by legal entities such as those that are selling weapons or operating civilian shooting ranges. The owner or user of the weapon is obliged to keep the weapon in good condition, to handle it carefully, and to keep it in a way that will prevent the access of unauthorized persons (Article 28). This is the only provision that refers to the manner of storing firearms. This assumes that the owner or the user has sole and exclusive access to the firearm(s) and that access by others is prevented. Consequently, this means that the weapon is stored at a safe location and in a secure manner, as this is the only way in which access by others is restricted. The relevant legislation does not prescribe any exact procedure for keeping weapons; rather, it is left as a duty and at the disposal of the owner and user, with preventing access to unauthorized persons prioritized. Bearing in mind the importance of this issue in preventing the misuse of firearms, it is recommended that this issue be duly considered and that the potential consequences of firearms misuse by unauthorized persons are brought more thoroughly to the attention of owners and users.

1.2.

PROCEDURES WHEN DOMESTIC VIOLENCE IS COMMITTED INCLUDING LICENSE REMOVAL FROM CIVILIANS

In accordance with relevant legislation of the Republic of North Macedonia, the Centre for Social Work and Police are key institutions for reporting, initiating procedures, and carrying out measures for protection from domestic violence. **The legislation extensively regulates proceedings of both institutions in cases of domestic violence** when a firearm has been used directly or when

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its use has been threatened, as well as when an accused perpetrator is authorized to carry and use weapons.

Within the risk assessment, the Centre for Social Work is to assess whether an accused perpetrator of domestic violence possesses weapons, while the police are to assess whether the accused perpetrator has used a firearm or other object or threatened to use one. The risk assessments are conducted in accordance with the Ministry of Labour and Social Policy, per the *Rulebook on the Manner for the Implementation of Protective Measures Undertaken by the Centre for Social Work and for the Manner of Following up on Issued Temporary Protection Orders* (Official Gazette 17/2015) and in accordance with the Ministry of the Interior, per the *Rulebook on the Method of Risk Assessment upon the Life and Physical Integrity of the Domestic Violence Victim and the Risk of the Recurrence of Violence, Proper Risk Management, the Form of the Police report and the Proposal for Imposing a Temporary Protective Measure – the Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home* (Official Gazette 28/2015). The Centres for Social Work use Form 2 as an integral part of their Rulebook, while the police conduct the risk assessment based on Form 1 as an integral part of their respective Rulebook.

There is no specific provision that refers and consequently considers firearms potentially possessed by other family members.

Article 21-a from the Law on Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) concretely regulates the proceedings of the Centre if the accused perpetrator is found to possess a firearm or have access to and handle service weapons. Namely the article stipulates as follows: **“The Centre for Social Work, whenever it becomes aware that domestic violence has been committed by a person who possesses a firearm, is to immediately inform the Ministry of the Interior and, within 24 hours, submit a written notification to the Ministry of the Interior. The Centre for Social Work, whenever it becomes aware that domestic violence has been committed by a person who has access to and handles service weapons, is to immediately, within 24 hours, submit a written notification to the institution or legal entity in which the person is employed. The Centre for Social Work shall immediately notify the Ministry of the Interior of the submitted notification to the institution or legal entity in which the perpetrator is employed and shall submit a written notification to the Ministry within 24 hours.”**

Upon arrival at the scene of a potential crime of domestic violence, the **Police are mandated to temporarily seize the weapon³⁷** from the accused perpetrator and **initiate a procedure for the revocation of any firearm license, weapons collector license, or license for carrying weapons.**

The police have the authority to temporarily seize items, i.e., legal weapons with a court order, in cases determined by the Law on Criminal Procedure³⁸ (consolidated version 198/2018). However, if a person is seeking assistance or if there is a demonstrated need to remove serious danger to the life or health of citizens, they may seize legal weapons, enter a person's home and other premises, and conduct a search without a written order according to Article 57^[1], para. 2 and Article 60-a from the Law on Police (consolidated version 64/2018). The same stands for an illegal weapon. More specifically the seizure of the weapons is regulated by the Mol *Rulebook on the Manner of the Performance of Police Work* (149/2007, most recently amended by 52/2020). According to the bylaw provisions, when a person uses a weapon in a public or other place and in so doing endangers the life and personal safety of people, as well as when a person uses a weapon to disturb public order and peace, i.e., commits a crime, then any firearms, ammunition, and firearm licenses are to be seized on the spot by the competent police officer. In addition, the police officer shall seize weapons and ammunition whose acquisition, possession, and carrying is prohibited by law, as well as any weapons and ammunition for which the holder does not have a weapons license (Article 217). A request for the initiation of a misdemeanour procedure against the person whose firearm(s) and ammunition have been seized is to be submitted by the police officer for the violation of the weapons regulations (Article 218).

When the reasons for which the object was temporarily seized expire, or when otherwise determined by another relevant law or decision of a competent state body, the temporarily seized object shall

37] The Law on Police (consolidated version 64/2018) in Article 57 stipulates that the police officer may temporarily seize items by court order, in cases determined by the Law on Criminal Procedure. Seizure can be carried out without a court order in the following cases: 1) when there are grounds for suspicion that it is a case of a criminal offense, misdemeanor, or property gain obtained through a criminal offense or misdemeanor and that it may serve as evidence in the procedure, or if there is a danger of delay; 2) when in order to protect the general safety, the confiscation of the object is necessary; and 3) from a person whose freedom of movement is temporarily restricted, and who owns or can use an object for self-harm, attack, or escape.

38] Temporary securing and seizure of items or property, Articles 194-204.

be returned to the person from whom it was seized (Article 58, item 3 from the Law on Police, consolidated version 64/2018). Practically, if there are no grounds or elements for prosecution, the weapon is returned. If the authorities assess that returning a weapon may pose a threat or a danger, they may decide not to return it, even in the absence of grounds for prosecution. For the return of a confiscated weapon, the person has to file a request. The seizure of the weapons should be justifiable, otherwise it may be assumed that the right to property, in this case the weapon, has been violated.

The procedure for the revocation of a firearm license, firearms collector license, or the license for carrying weapons is to be conducted according to Article 43³⁹ of the Law on Weapons (consolidated version 97/2018). Any such license is to be temporarily revoked until a final decision is made. An appeal may be filed against the decision for temporary revocation within 15 days from the day of receipt of the decision by the commission, however the appeal does not postpone the execution of the temporary revocation. In order for the license to be revoked permanently either a criminal procedure for criminal acts of domestic violence has to be completed with a final judgment or a court decision has to have been made imposing a temporary protection order in the context of domestic violence for the *“prohibition of possessing firearms or other weapons or for having them confiscated.”* Such decisions must be issued in accordance with the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) in order to be executed by the Mol. Article 43 does not explicitly reference a court decision for imposing a temporary protection order in cases of domestic violence as grounds for revocation.

More specifically, the mandate, responsibilities, and procedures of the Centre for Social Work and the Police are legally stipulated as follows:

a) Centres for Social Work mandate and proceedings in cases of domestic violence

The mandate and responsibilities of the Centre for Social Work are stipulated in the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) in Section II and, regarding protection measures, in Articles 18-28.

The Centre for Social Work is mandated to take the following measures to protect victims: 1) provide accommodation in a centre for persons/victims of domestic violence; 2) provide adequate health care; 3) provide appropriate psycho-social intervention and treatment; 4) provide psychosocial treatment in a counselling centre; 5) provide assistance to the family for the regular education of a child; 6) provide legal aid and representation; and 7) facilitate the economic empowerment of the victim through his/her active inclusion in the labour market.

The Centre for Social Work is obliged to initiate a procedure immediately and to take measures for the protection of the victim within 24 hours from being informed that violence has occurred or been reported. The procedure can be initiated ex officio, at the request of the victim, or upon a report from a person, official, institution, or association.

The Centre for Social Work carries out protection measures through professional, advisory, counselling, and interdisciplinary teamwork. The Centre assesses the needs for the protection of the victim, according to the type, intensity, and context of the violence, the health and family status of the victim, his/her age, and other circumstances, and based on its assessment the Centre then prepares a plan for individual work with the victim(s) in line with the findings and opinions of an expert team.

In cases where there is evidence of the life and health of the victim and family members being endangered, a safety plan is prepared by a multi-sectoral expert team. The multi-sectoral expert team is composed of experts from the Centre for Social Work, the police, and relevant health institutions. A multisectoral expert team is formed in the Centre for Social Work and it coordinates activities in providing assistance to the victim. Representatives of associations dealing with domestic violence should participate in the work of the multi-sectoral expert team and they can propose and implement measures and activities from the safety plan to help the victim. In addition to the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version

39] Article 43: When a criminal procedure is initiated against the holder of a license for firearms, a firearms collector license, or a license for carrying a weapon for a criminal offense from Article 12, paragraph 1, line 1 of this law, for a misdemeanor from Article 12, paragraph 1, line 2 of this law, or if there are circumstances provided in Article 12, paragraph 1, line 3 of this law, the competent authority shall through its decision temporarily revoke the firearm license, firearms collector license, or license to carry firearms, weapons, or ammunition until a final decision is made, according to the law. An appeal may be filed against the decision referred to in paragraph 1 of this Article within 15 days from the day of receipt of the decision to the commission. The appeal against the decision from paragraph 1 of this article does not postpone its execution.

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150/2015), the proceedings of the Centres for Social Work are prescribed by the Ministry of Labour and Social Policy in the *Rulebook on the Manner for the Implementation of Protective Measures Undertaken by the Centre for Social Work and for the Manner of Following up on Issued Temporary Protection Orders* (Official Gazette 17/2015). In cases of domestic violence, in accordance with Article 3, the principle of urgency of action shall be applied in the Centre for Social Work's proceeding in cases of domestic violence. Namely, after receiving notification that a domestic violence incident has been committed, and immediately after the first contact with the victim, parent, or guardian has been established, the centre is to implement measures for the protection of the victim(s) of domestic violence, taking into account the interests and needs of the victim(s), as well as the best interests of the child or other persons under guardianship.

Victims of domestic violence are to be informed about the right to a companion, the right to health care, the right to legal aid and advice, the right to social protection, protection measures, the procedures for exercising their rights and their course, the right to be informed about all issues during the proceedings in a manner and language in which the victim will understand, and their rights regarding the professionals in the centre, regardless of whether the victim uses these services, programs, and protection measures, in accordance with Article 4 of the relevant rulebook. For child victims of domestic violence, the professionals in the Centre should provide enhanced protection.

In order for the centre to proceed and undertake further measures, the consent of a victim, or a parent or guardian, when necessary, is required (Article 5, Rulebook), based on the victim's adequate understanding of the procedure, purpose, and consequence for the selection of the protection measure and the manner of its implementation and monitoring. The consent of the victim is to be given in writing in Form 1⁴⁰ - an integral part of this Rulebook. Following the informing of the victim and obtaining of his/her consent (or the consent of his/her parent or guardian, when necessary), the assessment of the need for protection (Article 6, Rulebook) is conducted. The identification and assessment of the needs of the victim for protection from domestic violence by the experts in the centre is to be carried out upon the first contact with the victim, based on the type, intensity, and context of the violence, the duration of violence, the health, economic, and family status of the victim, his/her age, and other personal circumstances of the victim of domestic violence.

Simultaneous to the assessment of the needs of the victim, an **assessment of the risk of endangerment to the life and health of the victim**, any children, and family members is conducted as well, through the filling in of a Questionnaire⁴¹ for assessing the need for protection of the victim (Form 2 - an integral part of this rulebook). In the first section addressing the acute act of violence, the Questionnaire contains a question related to the possession of or the authorization to carry and use firearms on the part of the accused perpetrator. The question is formulated as - **"Does the perpetrator own or have access to a firearm?"** No other section, not even the section related to the history of violence or the one for describing the perpetrator, contains any questions related to the possession, use, or authorization to carry and/or use firearms. In cases of the assessment of risk of endangerment to the life and health of the victim, any children, and family members, the competent centre shall convene a multi-sectoral expert team to prepare a safety plan to assist the victim(s). It should be noted that in cases of illicit possession of firearms, a victim does not necessarily have information as to whether a perpetrator possesses or has access to a firearm.

Following the assessment, a **Victim Safety Plan** is prepared accordingly by the multi-sectoral team (Article 7, Rulebook). When preparing the safety plan, the team is guided by the prior assessment of the need to protect the victim and any children and family members prepared by the Centre for Social Work, and by other team members with knowledge regarding the risk of endangerment to the life and health of the victim and any children and family members. The plan should provide measures to assist the victim according to his/her needs. The Victim Safety Plan is prepared using Form number 3⁴² - an integral part of this Rulebook. It is worth noting that there is a note in the subsection for

40] This Form contains: the stamp of the centre, data for informing the victim about his/her rights, a place for the signature of the victim and the signature of a relevant expert, data for informing the victim about protection measures, a place for establishing the consent of the victim for the implementation of any protection measure, fields for the signature, name, and surname of the victim and for the signature, name, and surname of the relevant expert, for the date and place, for the statement of information, and for the consent of the victim for convening a multisectoral expert team and the implementation of the security plan for protection, including once again space for the victim's signature, name, and surname and the signature, name, and surname of the relevant expert, as well as for the date and place.

41] The Questionnaire contains several sections, i.e., sections of questions for inquiring about the acute act of violence that has been reported; a section of questions regarding prior acts of violence, i.e., the history of violence; a section for describing the perpetrator; a section regarding children; while the last section is dedicated to detailing the relevant professional opinion on the risk assessment related to the danger to the life and health of the victim.

42] This Form contains: the stamp of the Centre for Social Work, victim information, and his/her consent for the Victim Assistance Safety Plan, the date, the name, surname, and signature of the victim, data on the victim, children, and family members at risk, data on the violence

indicating whether the perpetrator holds a firearm license or is in possession of a firearm.

The protection measures⁴³ contained in the Victim Safety Plan are to be implemented by the members of the multisectoral expert team according to Article 8 the relevant rulebook. The Law also stipulates the following measures: ***temporary seizure of firearms and of any firearm licenses from the accused perpetrator; informing the relevant employer about the registered domestic violence in cases when the perpetrator as part of the performance of his/her duties has access to, i.e., handles, official firearms.***

If a proposal is submitted by a police officer for imposing the temporary protection measure of the *removal of the perpetrator from the home or the prohibition of approaching the home*, the proposal together with the police report and the planned and undertaken measures and activities for risk management are taken into account during the preparation of the Victim Safety Plan.

b) Police mandate and proceedings in cases of domestic violence

Articles 29 and 30 of the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) prescribe the Ministry of the Interior's proceedings in cases of domestic violence. Namely, a police officer, whenever there is a report of domestic violence, is obliged to go to the scene and prepare a police report immediately, within 12 hours of the event intervention, in order to eliminate the immediate and serious danger to the life and physical integrity of the victim and his/her family members. In cases of domestic violence, the police officer, when undertaking police work and police powers, and operational/technical and preventive measures determined by the Law on Police, is to **always assess the risk to the life and physical integrity of the victim and the risk of the recurrence of violence through appropriate risk management**. The police officer is to ensure that the victim immediately receives adequate health care (described in Article 31 of the same law). **The police officer, in rendering such actions, is to temporarily seize any weapons⁴⁴ from the perpetrator and initiate a procedure provided by the law for the revocation of any firearms license, firearm collector license, or license for carrying weapons.**

In addition, if a person is seeking assistance or if it is deemed that there is a need to negate serious danger to the life or health of citizens, the police have the authority to enter a person's home or other indoor premises⁴⁵ and conduct a search without a written warrant (Article 60 - 1 from the Law on

committed, data on the risk and danger of the recurrence of violence, on assistance measures, on the dynamics and duration of measures in the security plan, separately for each team member; the signatures of the members of the multisectoral team, the date, and the assessment of the multisectoral expert team for the achieved effects of the plan, i.e., that the risk that justified the implementation of the security plan has ceased, based on a re-assessment of the risk, with the names, surnames, and signatures of the members of the relevant multisectoral expert team.

43] These measures are: contacting the victim in the first 12 hours after the adoption of the plan; contacting the victim regularly, and at least once every 24 hours for the duration of the safety plan; providing data on a telephone number which the victim can call in case of imminent danger; providing health examinations and medical documentation; providing accommodation in a centre for persons/victims of domestic violence; providing the right to social protection; providing psycho-social support and counseling; providing legal advice and free legal aid; the temporary seizure of firearms and firearm licenses from the perpetrator; informing the employer about the registered domestic violence in cases when the perpetrator as part of the performance of his/her duties has access to, i.e., handles, official firearms; reporting to the relevant educational institution on the risk to children from domestic violence and the recurrence of violence; timely and complete informing of the victim about the course of the proceedings against the perpetrator before the competent authorities and the outcome of the proceedings; and taking other measures necessary to provide assistance to the victim.

44] The Law on Police (consolidated version 64/2018), in Article 57, stipulates that the police officer may temporarily seize items by court order in cases determined by the Law on Criminal Procedure. Seizure can be done without a court order in the following cases: 1) when there are grounds for suspicion that it is a case of a criminal offense, misdemeanor, or property gain obtained through a criminal offense or a misdemeanor and that it may serve as evidence in the procedure, or if there is a danger of delay; 2) when in order to protect the general safety, the confiscation of the object is necessary; and 3) from a person whose freedom of movement is temporarily restricted, and who owns or might use an object for self-harm, attack, or escape.

45] 10-a. Entering someone else's home and other enclosed premises, Article 60-a:

The police officer may enter another's home or other closed premises without a written order and inspect the home and the space connected with the home in the following cases:

- if someone from the home calls for help;
- if it is necessary to eliminate a serious danger to human life and health;
- if it is necessary in order to eliminate a serious danger to the property of the citizens on a larger scale;
- if the holder of the home or the person staying in the home so requests or agrees to it;
- if there is a person who, by order of a court, should be detained or forcibly brought under submission;
- if it pertains to the deprivation of liberty of a perpetrator who is caught during the commission of a crime that is prosecuted ex officio;
- at a place where a crime has been committed for the purpose of conducting an inspection.

In undertaking the actions referred to in paragraph 1 of this article, if the entry cannot be performed in another way, the police officer may enter someone else's home and the space related to the home using reasonable force and causing the least possible damage.

In case the police officer undertakes actions in accordance with paragraph 1, lines 4, 5, 6, or 7 of this article, he/she acts must act in

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Police, consolidated version 64/2018). This also applies to illegal weapons.

The police officer is obliged within 12 hours of the event intervention to submit to the competent court a proposal for imposing the temporary protection measures of *Removal of the Perpetrator from the Home and a Ban on Approaching the Home* and a police report prepared by the police officer. The police officer is obliged to inform the competent Centre for Social Work within 12 hours of the event intervention, so that measures may be initiated for the protection of the victim. The Minister of the Interior is to prescribe: the manner in which the risk assessment is carried out regarding danger to the life and physical integrity of the victim and the risk of the recurrence of violence, including proper risk management; and the content of the form of the police report and the proposal for imposing the temporary protection measures of the Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home.

In addition to the responsibilities detailed above, the police officer shall accompany the victim to the apartment or other area where the victim lives when it is necessary to take personal belongings that are necessary for everyday life. These activities may also be carried out when the victim is placed in a shelter for persons/victims of domestic violence by the Centre for Social Work (Article 30).

In accordance with the legal obligation prescribed in Article 29 from the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015), the Minister of the Interior, i.e., the Ministry of the Interior, adopted the **Rulebook on the Method of Assessment of Risk to the Life and Physical Integrity of the Domestic Violence Victim and the Risk of the Recurrence of Violence, on Proper Risk Management, on the Form of the Police Report, and on the Proposal for Imposing a Temporary Protective Measures of Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home** (Official Gazette 28/2015). Article 2 from this Rulebook stipulates that upon receipt of a report of domestic violence by the police officer from the competent police station corresponding to the place where the act was committed, the following information needs to be obtained and provided by the relevant reporting personnel: data on the person who has reported the violence, the accused perpetrator, the victim, and other present family members or persons in need of assistance and care; data on the event and the possible danger to the health and life of the victim and other family members; data on injured persons and the need for medical assistance; **information on whether the perpetrator used a firearm or other object or threatened to use one**; information on whether the violence was still ongoing at the time of reporting; and information on whether the perpetrator was present at the home of the victim at the time of reporting or had left the home.

After receiving the relevant information and data for the event that happened or was still occurring at the moment of the reporting from the police officer who handled the call, police officers from the competent police station should be sent to suppress the violence and take actions and measures for the protection of the life and bodily integrity of the victim and family members. When going to the scene of a crime, the police officers shall be acquainted with all the information and data that the police officer who handled the call has obtained in connection with the event (Article 3, Rulebook).

Upon arrival at the scene of a crime, the police officers shall within their authorized police powers take operational/technical and preventive measures in order to prevent the perpetrator from committing further domestic violence. In undertaking actions, the police officers shall assess the risk to the life and physical integrity of the victim of domestic violence and the risk of the recurrence of violence (Article 4, Rulebook).

During the risk assessment, the risk shall be identified through its apt description, which should clearly formulate the identified risk, the reasons for it, and the possible consequences of the recurrence of violence. The risk assessment shall be prepared and documented using Form 1⁴⁶. The risk assessment is to be made based on the type and intensity of the violence, the duration and continuity of violence, the health and emotional state of the victim, and on other relevant

accordance with the Law on Criminal Procedure.

For the actions undertaken as prescribed in paragraphs 1, 2, and 3 of this article, the police officer is to prepare an official record.

46] This Form contains the following elements: "REPUBLIC OF MACEDONIA," "MINISTRY OF INTERNAL AFFAIRS," and the name of the organizational unit; the number and date of the risk assessment; the legal basis for its usage; the title: "ASSESSMENT OF RISK TO THE LIFE AND BODILY INTEGRITY OF THE VICTIM AND THE RISK OF THE RECURRENCE OF VIOLENCE;" personal data on the victim of domestic violence (name and surname of the victim, maiden name, nickname/moniker, ID number of the citizen, date of birth, place/municipality/republic/country of persons born abroad, citizenship, gender, occupation, address of residence); data on the frequency/duration of domestic violence; forms of domestic violence committed against the victim (physical, psychological, and economic); data from the interview with the victim; data from the interview with the perpetrator; relationship of the victim with the perpetrator; and name and surname of the police officers and the name of the organisational unit.

observations made at the time of reporting on the violence (Article 5, Rulebook). When assessing the risk in cases when children up to 18 years of age or persons with limited or deprived legal capacity are present in the victim's home, a police officer from the competent organizational unit for criminal affairs shall be called, followed by the contacting of a competent Centre for Social Work representative so as to initiate activities and measures for the protection of the rights and interests of any children and persons with limited or deprived legal capacity (Article 6, Rulebook). It is worth noting that Form 1 contains one question for the perpetrator, asking whether he/she possesses firearms and if so, what type(s) of firearm.

PROCEDURES IN CASES OF ILLICIT FIREARMS AND FIREARMS POSSESSED BY OTHER FAMILY MEMBERS

There is no explicit legal provision set by the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) or by the *Rulebook on the Method of Assessment of Risk to the Life and Physical Integrity of the Domestic Violence Victim and the Risk of the Recurrence of Violence, on Proper risk management, on the Form of the Police Report, and on the Proposal for Imposing a Temporary Protective Measures of the Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home* (Official Gazette 28/2015) stipulating that the law enforcement officers are required to conduct a search for firearms and ammunition when domestic violence is reported, regardless of whether firearms are legally owned or are possessed illicitly.

In addition, there is no specific provision, i.e., question, in the risk assessments prescribed in the Rulebooks of the Ministry of Labour and Social Policy or the Ministry of the Interior that reference, and consequently consider, if any firearms are possessed by other family members.

REGULATION OF THE REMOVAL/REVOCATION OF FIREARMS/LICENSES FROM CIVILIANS WITH RESPECT TO DOMESTIC VIOLENCE

Articles 35-41 of the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015) stipulate the temporary protection measures that can be imposed on the perpetrator, including the procedure for issuing these measures. Eleven⁴⁷ temporary protection orders are described within this law, one of which has a prohibitive nature specifically addressing the issue of the possession of firearms or other weapons. Namely, the **court may impose upon the perpetrator a Prohibition to Possess Firearms or Other Weapons or Measure to Have Them Seized** (Para 1, item 5).

The victim may submit a proposal for imposing a temporary protection measure to the competent court of his/her own accord or through the Centre for Social Work, upon the victim's request. Namely, the Centre may submit a proposal for the issuing of a temporary protection measure to the competent court only with the consent of the victim.

A proposal for imposing a temporary protection order can be submitted regardless of whether criminal proceedings are being initiated for the act of domestic violence. A temporary protection

47] Temporary protection orders from Article 35 of this law:

- 1) a ban on threatening to commit domestic violence;
- 2) prohibition of harassing, telephoning, contacting, or otherwise communicating with a family member, directly or indirectly;
- 3) prohibition to approach at a distance of less than 100 meters the residence, school, workplace or a certain place that is regularly visited by another family member;
- 4) removal from the home regardless of ownership,
- 5) prohibition of possessing firearms or other weapons or a measure for having them confiscated;
- 6) obligatory return of the items needed to meet the daily needs of the family;
- 7) compulsory legal support of the family;
- 8) compulsory attendance at an appropriate counseling center;
- 9) mandatory treatment of the perpetrator for the abuse of alcohol, drugs, or other psychotropic substances or for a mental illness;
- 10) obligation to reimburse the medical and other expenses incurred by the commission of domestic violence; and
- 11) imposing any other measure that the court deems necessary to ensure the safety and well-being of other family members.

2. LINKAGES BETWEEN FIREARMS AND DOMESTIC VIOLENCE

order may last from three months to one year. If the domestic violence continues after the expiration of the period for which the order is issued, the victim or the Centre for Social Work may submit a request for an extension of the order. After the expiration of one year from the issuance of the temporary protection order, if domestic violence occurs again, the victim or the Centre for Social Work may submit a new proposal for the issuing of an order to the court.

According to the law, once the issuing of the order has been initiated, they are the responsibility and subject of execution of different institutions. The procedure of issuing the orders is described in Articles 51-58 from the Law on Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015). The Ministry of the Interior is charged with executing the temporary protection orders set in Article 35⁴⁸, para. 1, items 1, 2, 3, 4, and 5, including the order of the *Prohibition of Possessing Firearms or Other Weapons or a Measure to Have Them Seized* (Article 51, para 1). The manner of execution of the pronounced temporary protection measure of the removal of the perpetrator from the home and the prohibition of approaching the home from Article 34 of this law and the temporary protection measure from Article 35, paragraph 2, items 1, 2, 3, 4, and 5 of this law are to be prescribed by the Minister of the Interior (Article 52).

Following Article 52 of the Ministry of the Interior's *Rulebook on the Manner of Executing Issued Temporary Protection Orders for Domestic Violence Victims and Members of their Family* (Official Gazette 28/2015), Article 14 stipulates that "*The temporary measure for protection of the prohibition of possessing a firearm or other weapon or a measure to have them seized from the perpetrator shall be implemented in accordance with the Law on Weapons.*"

The monitoring role over the execution of the temporary protection orders is performed by the Centre for Social Work in accordance with Article 53 from the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015). For the monitoring of the temporary protection orders, the Centre for Social Work should cooperate with relevant citizens, legal entities, institutions, and associations. The Centre for Social Work shall inform the court about the course and effects of the execution of the issued temporary protection orders.

Box 2:

**ACTION PLAN FOR
THE IMPLEMENTATION
OF THE CONVENTION
FOR THE PREVENTION
OF AND THE FIGHT
AGAINST DOMESTIC
VIOLENCE AGAINST
WOMEN 2018-2023**

The only measure intended in the *Action Plan for the Implementation of the Convention for the Prevention of and the Fight against Domestic Violence against Women 2018-2023*⁴⁹ that is relevant to this analysis is the following – in the *Law on Police*, amend Article 28 of the Law authorizing police officers to take actions to remove the abuser from the home in cases of gender-based violence. For this measure, the Ministry of Interior is to be responsible for its implementation, in cooperation with the Parliament, relevant judicial bodies, the Ministry of Labour and Social Policy, the Ministry of Justice, and with CSOs, with a time for its implementation stated as being initiated in the

first half of 2019. This is not yet regulated. In the list of police powers, the removal of the perpetrator from the home has not yet been added to this list.

48] Article 35 - In order to suppress the violence, remedy the consequences of the perpetrated violence, and take effective measures against the perpetrator of violence, or eliminate the risks for further domestic violence, the following temporary protection measures may be imposed upon the perpetrator of domestic violence: 1) a ban on threatening to commit domestic violence; 2) prohibition of harassing, harass, telephoning, contacting, or otherwise communicating with a family member, directly or indirectly; 3) prohibition to approach at a distance of less than 100 meters the residence, school, workplace or a certain place that is regularly visited by another family member; 4) removal from the home regardless of ownership; 5) prohibition of possessing firearms or other weapons or a measure to have them seized; 6) obligatory return of the items needed to meet the daily needs of the family; 7) compulsory legal support of the family; 8) compulsory attendance at an appropriate counseling center; 9) mandatory treatment of the perpetrator for the abuse of alcohol, drugs, or other psychotropic substances or for a mental illness; 10) obligation to reimburse the medical and other expenses incurred by the commission of domestic violence; and 11) imposing any other measure that the court deems necessary to ensure the safety and well-being of other family members.

49] <https://www.mtsp.gov.mk/content/pdf/ap%202018/15.10-NAP%20AP%20za%20IK%202018.doc> (accessed on November 18, 2020).

VICTIM SUPPORT PROGRAMMES AND PERPETRATOR PROGRAMMES

The protective measures envisaged by Law are stipulated within the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015), Article 18.⁵⁰ Further details and procedures are provided by the Ministry of Labour and Social Policy in the Rulebook on the Manner for the Implementation of Protective Measures Undertaken by the Centre for Social Work and for the Manner of Following up on Issued Temporary Protection Orders (Official Gazette 17/2015), in Article 13; it is stipulated that appropriate psycho-social intervention and treatment stipulates for a measure of protection through appropriate psycho-social intervention and the treatment of the victim of domestic violence shall be implemented by providing initial crisis intervention to help the victim of domestic violence, counselling assistance from a professional, and counselling interdisciplinary teamwork.

One temporary protection order imposing the perpetrator to attend an appropriate counselling centre (Article 35, para. 2, item 8 from the same law) is to be executed by the Counselling Centre for Perpetrators of Domestic Violence (Article 51, para. 1). The centre is responsible for executing a court's decision for protective supervision in cases when the convicted person, for the crime of domestic violence, must obligatorily attend a program for work with convicts for crimes committed during domestic violence and the centre is mandated to inform the court about the fulfilment of this obligation (Article 51, para. 1). The counselling centre's operations are further regulated by the Ministry of Labour and Social Policy in Article 52, paragraph 3 and by the Rulebook for the Manner of the Execution of the Temporary Protection Order of Mandatory Attendance at a Counselling Centre for Perpetrators of Domestic Violence (Official Gazette 17/2015).

Regarding compensation for the victim, it is worth noting that the Republic of North Macedonia has formally declared reservations in regard to Article 30⁵¹ of the Istanbul Convention. In regard to Article 78, paragraph 2 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, The Republic of North Macedonia asserted that it reserves the right not to apply or to apply only in specific cases the provisions of Article 30, paragraph 2 of the Convention, in accordance with its applicable legislation (the Law on Children's Justice) only in relation to a child established to have been a victim under the final decision of a Court or to have been harmed by an act that is stipulated by law as a criminal offense with elements of violence. However, it should be noted that the Ministry of Justice has prepared a Draft-law on the Payment of Monetary Compensation to Victims of Violent Crimes; upon the adoption of this Law, this reservation will be lifted. According to the Draft-law, women that have suffered gender-based violence are one of the categories that can assert the right to material and non-material compensation for damages caused as a consequence of a violent criminal act.

1.3. HOLDERS OF HUNTING AND SPORTING WEAPONS

The requirements set in the Law on Weapons applies to holders of hunting and sporting weapons just as it does for all other natural persons. There is no difference in the security vetting for domestic violence for these applicants or holders than there is for any other general natural persons holding or attempting to acquire firearms and ammunition. There is no specific provision in the Law on Hunting (consolidated version 83/2018) directly related to the main subjects of this analysis.

50] The Center for Social Work undertakes the following measures to protect victims: 1) provide accommodation in a centre for persons/victims of domestic violence; 2) provide adequate health care; 3) provide appropriate psycho-social intervention and treatment; 4) provide psycho-social treatment in a counseling center; 5) provide assistance to the family for the regular education of a child; 6) provide legal aid and representation; and 7) economically empower the victim through his/her active inclusion in the labour market.

51] Article 30 – Compensation

1) Parties shall take the necessary legislative or other measures to ensure that victims have the right to claim compensation from perpetrators for any of the offences established in accordance with this Convention.

2) Adequate State compensation shall be awarded to those who have sustained serious bodily injury or impairment of health, to the extent that the damage is not covered by other sources such as the perpetrator, insurance, or state-funded health and social provisions. This does not preclude parties from claiming regress for compensation awarded from the perpetrator, as long as due regard is paid to the victim's safety.

3) Measures taken pursuant to paragraph 2 shall ensure the granting of compensation within a reasonable time.

1.4. SECURITY SECTOR PERSONNEL

Many security sector personnel carry and use weapons as part of their special official authorization. This includes the personnel of police forces, including the judicial police, the prison police, financial police, counterintelligence and military police, and the forest police, of the intelligence agency, of customs officers, of military personnel, and of those involved in intelligence and private security. Detectives are not legally allowed to use weapons in performing their activities⁵².

Bearing in mind that professionals authorized to carry firearms have direct access to firearms and are trained to use them, and in certain cases could have access to sensitive information, central issues that are considered in this section include: proceedings when domestic violence is committed by a member of the security sector personnel; security vetting during employment; and procedures for carrying and holding weapons outside working hours and performing professional duties.

PROCEEDINGS WHEN DOMESTIC VIOLENCE IS COMMITTED BY A MEMBER OF THE SECURITY SECTOR PERSONNEL

Proceedings in cases of domestic violence committed by security sector personnel are, for most security sector personnel, regulated either by specific laws respective to these contingents, or, in the case of the private security personnel, by two laws; the Law on Private Security and the Law on Weapons. It is worth noting that these procedures became regulated in 2015 following a grave and fatal domestic violence incident. Namely in November 2014, a former member of the state's voluntary security services who had been previously engaged in the civil internal conflicts of 2001 murdered three family members of his former spouse. Following the incident, four employees of the relevant and acting Centre for Social Work were convicted for not having taken the legally prescribed measures, while two police inspectors were charged with "negligent work," as they had not initiated the procedure for the seizure of the weapon nor the procedure for license revocation although they were obliged to do so. In a firm and decisive response, the state prescribed that the special department at the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption is to be responsible for the investigation and prosecution of crimes committed by persons with police powers/authorizations and members of the prison police.⁵³

Relevant provisions in the Law on Police, the Law of Military Service, the Law on Execution of Sanctions, the Law on Financial Police, the Law on the Judicial Service, and the Law on Forest show a high degree of uniformity with respect to procedures when an employee in any of the services respective to these laws commits domestic violence. On the contrary, the Law on Customs Administration (consolidated version 248/2018) does not recognize a domestic violence temporary protection order as a condition for the temporary seizure of weapons held by its employees. The Law on the Intelligence Agency and the Law on Defence that address authorized officials working in these agencies dealing with intelligence, counterintelligence, and the prevention and detection of crimes committed by persons also lack specific provisions regulating procedures on firearms if their employees commit domestic violence.

Given that these procedures are regulated similarly in the relevant legislation, only provisions in the Law on Military Service (consolidated version 14/2020) are elaborated upon here as an illustrative example. For the other laws, the articles regulating this procedure are only listed.

The Law on Military Service (consolidated version 14/2020) regulates the use of means of coercion or firearms in the performance of military service. In addition, it prescribes that in the case of an initiated criminal procedure or misdemeanour with elements of violence against a person in military service, the accused perpetrator of the crime or misdemeanour shall be temporarily deprived of his/her service firearm, with a ban on access to it and handling it until an effective decision is made in the respective criminal or misdemeanour procedure. The same procedure applies when a notification

^{52]} In accordance with Article 17 of the Law on Detective Activity, (consolidated 212/2016), in carrying out detective activity, the detective must not use weapons or other means of coercion, nor use methods and means that are prohibited by law or for the use of which only the competent state authorities are authorized. Thus, essentially, this is not a group that is relevant to this analysis.

^{53]} This change was introduced in the Law on Police with the Official Gazette 21/2018, in the Law on Financial Police with the Official Gazette 198/2018, and in the Law on the Execution of Sanctions with the current law/consolidated version 99/2019.

is received from the competent Centre for Social Work that an employee of the military service has committed domestic violence, with the ban to last until the decision of the competent court that has issued the temporary protection order becomes effective. An order for the temporary seizure of a service weapon and the ban on access to it and handling it shall be issued by the competent officer within 24 hours from the moment of receiving the notification by the Ministry of the Interior or another competent body for the initiated criminal, misdemeanour, or civil procedure (Article 18). The military or civilian service member is to be temporarily deprived of his/her official firearms and ammunition and shall be temporarily reassigned or redeployed for a certain period to an appropriate position in the Ministry, i.e., placed in an appropriate formation position in the Army for which the access and handling of weapons and ammunition is restricted.

The reassignment or placement is to last until the relevant decision on the criminal or misdemeanour procedure enters into force, i.e., until a temporary protection order for protection from domestic violence is adopted by a competent court and completed. If there is more than one procedure initiated, the temporary seizure of the official weapon and ammunition is to last until the final effective decision on the ongoing procedure is reached (Article 18-a). Furthermore, within 24 hours from the moment of receiving the notification from the Ministry of the Interior or another competent body for the initiated criminal procedure or misdemeanour with elements of violence committed by a military member or civilian serving in the Army, the competent person shall obligatorily impose upon the person a psychiatric and psychological examination, i.e., counselling with a psychologist in the Military Medical Centre.

The findings, assessment, and opinion of the psychiatric and psychological examination, i.e., consultation with a psychologist, must contain an assessment and opinion on the ability of the person to be deployed, i.e., placed in a job with access to and handling of weapons and ammunition. Based on the findings, assessment, and opinion of the military medical commission having determined the incapacity, or limitation of the person's ability to work, the person is to be reassigned indefinitely to a suitable position in the Ministry, i.e., placed in an appropriate position in the Army in which he/she is prevented from having access to and handling weapons and ammunition. The manner of conducting psychiatric and psychological examinations and counselling is prescribed by the Minister of Defence (Article 18-b).

The Law on Police (consolidated version 64/2018), in Articles 31, 31-a, 32-a, and 81-a stipulates relevant proceedings when an employee commits domestic violence. The Law on the Execution of Sanctions (consolidated version 220/2019) regulates the carrying and using of the weapons by the prison police and all other elements outlined above, including relevant procedures for when domestic violence is committed by an employee in Articles 87, 88, 89, 90, 91, and 92. The Law on Financial Police (consolidated version 198/2018) stipulates the same key elements of the proceedings in Articles 27-a and 28. The Law on the Judicial Service (consolidated version 248/2018) stipulates the provisions for carrying and using weapons on behalf of the Judicial Police in Articles 136, 137, and 138. Its procedures for crimes and misdemeanours, including domestic violence, committed by its employees are regulated in Article 138-a, 138-b, 138-v, 138-g, and 140 in this law.

The Law on Forests (consolidated version 147/2017) regulates the work of the Forest Guard Services and Forest Police, including their authorizations while performing their duties, in Articles 81-b, 81-v, 81-g, and 81-d. For both the Guard Service and the Forest Police, the provisions for carrying and using⁵⁴ weapons are regulated in Article 84. Relevant procedures of the Ministry of Agriculture, Forestry, and Water Economy, i.e., the Public Enterprise for Forest Management "Macedonian Forests" and other entities in charge of the management of the protected areas prescribe that the agency is to receive a notification from the competent institution for any initiated procedure against a member of the Forest Police, i.e., the Forest Guard Service, for a committed crime or misdemeanour with elements of violence, as stipulated in Article 84-a. The Law on Customs Administration (consolidated version 248/2018) outlines the carrying and using of weapons by customs officers, including what happens when a customs officer who is assigned to carry out duties for which he/she has access to and handles official firearms commits a crime or misdemeanour, including domestic violence, in Articles 44 and 44-a.

54] Namely this article stipulates that when performing their duties, the members of the Forest Police may use firearms in the following cases: 1) to prevent the escape of a person caught committing a crime that causes damage to the forest, if there is reasonable suspicions that the person will use firearms or other weapons; and 2) to repel an immediate attack that endangers their life. In these cases, the members of the Forest Police shall use firearms only if they cannot secure themselves or their official work through the use of physical force, a rubber truncheon, or other lighter means of coercion.

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It should be noted that the **Law on the Intelligence Agency and the Law on Defence for authorized officials working in intelligence, counterintelligence, and the prevention and detection of crimes committed by persons, do not regulate procedures if an employee commits domestic violence**. Articles 13, 14, 15, 16, and 17 of the Law on the Intelligence Agency (consolidated 162/2015) lay out the special authorities and duties of the agency, the rights and duties of the employees, and the provision of free legal aid if a criminal or other procedure is initiated or conducted against an employee of the agency for the use of a firearm or other means of coercion in the performance of work. The Law on Defence (consolidated version 42/2020) contains provisions that are relevant for carrying and using weapons by authorized officials working in intelligence, counterintelligence, and the prevention and detection of crimes committed by persons employed in the Ministry of Defence and the Army. Namely, upon receipt of criminal charges or notification that a person with the status of an authorized official for intelligence, counterintelligence, and the prevention and detection of crimes committed by persons employed in the Ministry of Defence and the Army has committed a crime⁵⁵ while performing an official action or committed a crime outside the service, the Ministry of Defence is to immediately inform the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption (Department for Investigation and Prosecution of Crimes Committed by Persons with Police Powers and Members of the Prison Police) and to obtain and provide all relevant sources of information about the committed crime, the perpetrator, and the victim. Consequently, necessary disciplinary proceedings against the respective person are to be initiated based on the Law on Administrative Servants (Article 137-a.)

The Law on Weapons (consolidated version 97/2018) and the Law on Private Security (consolidated 55/2016) regulate the activities of **private security companies**. The Law on Private Security does not contain a specific provision regarding procedures if an employee is accused of committing domestic violence. However, the provisions of the Law on Weapons apply here, and the procedure is the same as when any civilian commits domestic violence.

SECURITY VETTING FOR SECURITY SECTOR PROFESSIONALS WITH RESPECT TO DOMESTIC VIOLENCE

The security vetting procedure is legally stipulated only for candidates that apply for employment in the police, financial police, and employees of the Forest Police with the status of authorized officials. **For none of these agencies is domestic violence envisaged as a condition of the security vetting process, though this could be included in, and it would be pertinent to initiate this into, internal control procedures.** The other security sector groups' special laws⁵⁶ and bylaws do not explicitly contain provisions for such security vetting, although such vetting may be conducted in practice.

Namely, the Law on Internal Affairs (consolidated version 275/2019) stipulates that the Ministry of the Interior is to conduct security vetting during the recruitment process. A Questionnaire for security vetting is filled in by the candidate for a certain working position, including a statement that he/she agrees that all data stated in the questionnaire may be vetted (Rulebook on the Form and Content of the Security Questionnaire for Conducting a Security Check on a Person Establishing Employment in the Ministry of the Interior, Official Gazette 3/2015, Article 3). Security vetting for finance police officers is conducted according to Article 39, para. 5 from the Law on Financial Police (consolidated version 198/2018), according to which the Director of this institution may request security vetting of candidates during recruitment.

State security vetting is performed by the National Security Agency (the Law on the National Security Agency, Official Gazette 108/2019) according to Article 4, para. 2. The law stipulates that persons for whom the law prescribes a security check as a condition for employment in order to determine the existence of a security risk regarding the employment of that person are subject to vetting (Article 8, para. 1). As the Agency performs security vetting upon the request of another state institution, the subject of vetting is determined by those institutions requesting the vetting. As is evident from the questionnaire for security vetting, neither of these two institutions require vetting as to whether

55] Using a serious threat, force, or means of coercion resulting in death, grievous bodily harm, bodily injury, unlawful deprivation of liberty, torture or other cruel, inhuman, or degrading treatment or punishment, provided that the law prescribes ex officio prosecution.

56] These laws lack such a provision: the Law on the Intelligence Agency; the Law on the Execution of Sanctions; the Law on Customs Administration; the Law on Judicial service; the Law on Military Service; and the Law on Defence. Such a provision is also lacking in those related to the military, counterintelligence, and intelligence.

the candidate for employment has a history of committing domestic violence. As for persons employed by the Forest Police with the status of authorized officials⁵⁷ that have special duties and authorizations, the responsible Ministry, in cooperation with the Ministry of the Interior, is to perform a security check of persons before their gaining employment in order to determine the presence of a security risk. A security check is performed with the prior written consent of the applying person; if the person refuses the security check it is regarded that he/she has not fulfilled the conditions for employment (Article 82-dz). There is no bylaw that prescribes the procedure for conducting the security check for the Forest Police.

CARRYING AND HOLDING WEAPONS BY PROFESSIONALS AUTHORIZED TO CARRY FIREARMS

While the relevant legislation extensively regulates the use of firearms by security sector personnel while on duty, the carrying and holding of service firearms outside working hours might require further regulation. The Law on Police specifies a wide range of situations of the use of firearms. The financial police have a separate regulation on the use of the means of force as well as on the carrying and using of firearms by financial police officers (Official Gazette 137/2014) which stipulates that financial police officers are to carry weapons entrusted to them only during the performance of official duties or on the regular way to, or return to home from, the workplace (Article 10). The Law on the Intelligence Agency does not contain a provision in this regard and there is no bylaw related to this law that regulates this matter. The Law on the Execution of Sanctions prescribes the manner for using firearms and for their temporary seizure, but there is no provision regarding the carrying of firearms outside professional duties.⁵⁸

Article 13 of the Law on Customs Administration regulates the use of force as well as the carrying and using of firearms by customs officers (Official Gazette 21/2005), stipulating that customs officers may carry the entrusted weapons only during the performance of their duties at their place of work, with the manner of firearm usage determined, and on the regular way to, or returning home from, work. The Law on the Judicial Service does not contain provisions on the carrying and using of firearms by the Judicial police, nor is there a specific regulation similar to those corresponding to other similar groups of professionals. However, with respect to Judicial Police, there is a specific Regulation for the Use of Firearms, Rubber Bullets, and other Means of Force by the Members of the Judicial Police (Official Gazette 5/2013). The Law on Military Service lacks such a provision, nor is there a separate regulation related to this matter. The same is true for the Law on Defence.

The type of service weapon carried by the members of the Forest Guard Service and the manner of using an official weapon is regulated by the Ministry of Agriculture, Forestry, and Water Management, in the Rulebook on the Official Uniform, Identity, Type of Official Weapons Carried by Members of the Forestry Service, and the Manner of Using Official Weapons (Official Gazette 112/2015). The uniform and the type of weapons carried by the members of the Forest Police are prescribed in the Rulebook on the Uniform and Type of Weapons Carried by Members of the Forest Police (Official Gazette 57/2019).

PRIVATE SECURITY COMPANIES

The Law on Weapons (consolidated version 97/2018) states that legal entities that are licensed to possess firearms may only issue or allow access to firearms to workers who have been employed for a certain period in that legal entity, who perform private security, and who meet the requirements of Article 9 of this law. Practically, the conditions that stand for natural persons, i.e., the workers who are

^{57]} For employees of the Forest Police with the status of authorized officials, the body of the state administration responsible for affairs in the field of forestry shall issue official identification cards and badges. In case of the termination of the employment contract, i.e., dismissal from work, the employee is obliged to return the identification card. If in case of dismissal of the disciplinary measures, the employee shall again be issued an identification card, the form and the content of the identification cards and the badges and the manner of their issuance shall be prescribed by the Minister responsible for affairs in the field of forestry (article 82 g - Official identification card and badge).

^{58]} The Republic Secretariat for the Judiciary, Guidelines for the Use of Firearms and other Means of Force by Personnel of the Penitentiaries and Correctional Facilities, Official Gazette 3/1981, and the Ministry of Justice, the Rulebook on the Arming and Manner of the Performance of the Duties of the Security Sector in Penitentiaries and Correctional Facilities, Official Gazette 118/2008. These bylaws also do not contain such provisions.

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employed for a certain period, are the same as those for the legal entities. The competent authority issues a permit with a validity period of ten years. The permit for carrying a weapon contains personal data and a photo of the security guard. The term of validity of the license for carrying a weapon may be extended, at the request of the legal entity, if the person whose name appears on the license still meets the requirements of Article 9 of the law. For employees whose employment in the legal entity has been terminated, they are obliged on the day of their termination of employment to hand over any permitted firearms and the permit for carrying firearms to the responsible person in the legal entity. The corresponding legal entity is obliged, within eight days from the day of termination of employment, to notify the competent body in writing of the employee whose employment has been terminated, and on whose behalf the license for carrying a firearm was issued. The competent authority shall immediately revoke the permit to carry a firearm. The natural persons carrying the weapons are allowed and obliged to carry weapons only during the performance of their duties and tasks of private security, with the order for carrying weapons issued by the legal entity in accordance with the law.

The carrying and use of weapons by private security companies is regulated by the Law on Weapons (consolidated version 97/2018) and the Law on Private Security (consolidated 55/2016). In addition to the Law on Weapons, this second law regulates the procurement and possession of firearms for the physical security of the legal entity performing private security, including the weapons' dimensions, deactivation, and reactivation (Article 28⁵⁹). Article 29 regulates in detail the use of firearms for the purpose of physical security. According to this article, a security guard in the performance of private security may use only firearms that are owned by the legal entity that an employee works for. The responsible person in the legal entity shall issue an order for carrying firearms to the security workers who have a license to carry weapons, issued in accordance with the Law on Weapons.

The security guards shall obligatorily carry with them the order for carrying and the permit for carrying a firearm and at the request of an authorized official of the Ministry, they should provide it for inspection. The security workers who perform physical security can carry firearms and ammunition only in the facility they secure, i.e., up to the border of the premises secured. In exceptional cases⁶⁰, when the order for carrying a firearm specifies the place and period in which they will carry the firearm and ammunition, the security workers who perform physical security may carry a firearm and ammunition both outside the facility they provide security for or outside the space secured. The law also prohibits the security guard, in performing his/her physical security duties, from carrying his/her own personal firearm (Article 30). The use of force by private security agencies and employees is regulated by the Instructions on the Method of the Application of the Means of Force (Official Gazette 86/2013).

1.5. DOMESTIC VIOLENCE RECORD KEEPING

The Law on the Prevention and Suppression of and Protection from Domestic Violence, in Article 5, para. 1, stipulates that the competent bodies and institutions with the authority and a mandate to proceed on cases of domestic violence (the Ministry of Labour and Social Policy, the Ministry of the Interior, the Ministry of Health, the Ministry of Education and Science, the Ministry of Justice, local self-government units, and institutions operating in the field of social protection, child protection, home affairs, health, employment, and education) shall take relevant measures to protect the victim and prevent violence and shall establish mutual cooperation and coordination.

The obligation for record keeping is regulated in Article 5, para. 4, which stipulates that all competent bodies and institutions shall establish special records for domestic violence, in accordance with the regulations for personal data protection. The form and content of the form for the exchange of data between competent institutions required for monitoring the situation with domestic violence, as well as the manner of the exchange of data between the institutions, are to be prescribed by the

59] Section III. PERFORMANCE OF PRIVATE SECURITY; 1. Physical security - Physical security with firearms from the Law on Private Security

60] 1) in performing the transport and transfer of money and other valuables, only during and in the direction of the transport, i.e., the transfer; 2) in performing physical protection of persons; and 3) in performing monitoring/patrol security.

Minister of Labour and Social Policy. This is further regulated within the *Protocol for the Cooperation of the Competent Institutions and Associations for the Protection and Prevention of DV* (Official Gazette 143/2015), item 3: *Content and Manner of Cooperation of the Competent Institutions and Associations*. According to this protocol, the competent institutions and associations for the prevention and suppression of and protection from domestic violence shall act as follows: take the necessary measures for consistent observance of this protocol; exchange data and information for the purpose of joint action and cooperate for the purpose of keeping records; and cooperate with each other and take joint measures in preventing and suppressing domestic violence and in providing protection to victims of domestic violence.

In addition, the Law on Police and the Law on Social Protection, which govern key institutions in reporting and proceeding in cases of domestic violence, contain legal provisions for keeping data on domestic violence.

Two articles from the Law on Police (consolidated version 64/2018) are relevant for data collection - Articles 69 and 69-b. Article 69, para. 1 stipulates that the police shall keep records of: 1) persons whose freedom of movement is restricted on any grounds; 2) persons for whom there are grounds for suspicion that they are perpetrators of criminal acts or misdemeanours; 3) official notes related to the performance of police work; 4) *filed criminal charges against known and unknown perpetrators, reported perpetrators, and persons who have suffered damage due to criminal offenses prosecuted ex officio*; 5) perpetrators of criminal acts and misdemeanours - general alphabetical records; 6) case (file) for each person; 7) committed criminal acts; 8) committed offenses; 9) persons and objects that are being searched for, as well as persons who are prohibited from entering the Republic of North Macedonia; 10) committed suicides; 11) accidents and accidents at work; 12) persons whose identity has been verified; 13) fingerprinted persons, photographed persons, and persons for whom DNA analysis has been performed; 14) forensic investigations, forensic controls, and forensic processing and actions; 15) daily events related to the performance of police work and performed inspections; 16) traffic accidents; 17) the use of means of coercion; 18) complaints received from citizens; 19) complaints submitted by citizens against a police officer and corresponding measures taken; 20) items temporarily seized and found; 21) counterfeit money, counterfeit currencies - Euros and other counterfeit foreign currencies; 22) inspections performed and the corresponding implementation of measures on the basis of an act adopted by a court or other competent body; 23) application of special investigative measures; 24) persons for whom a security check has been performed; 25) verification of the identity of persons at the entrance to facilities provided by police officers of the Ministry; and 26) temporarily seized and found electronic devices. In addition to these records, the Ministry shall record the activities of police officers in undertaking actions within police authorizations provided by the Law on Police (Article 69, para. 2).

Article 69-b further stipulates that the records *referred to in Article 69, para. 1, item 4 of this law may be structured and may be kept as*: records of perpetrators of crimes; records of persons who have suffered damage by types of criminal offenses; records of requests for the collection of necessary notifications submitted by the Basic Public Prosecutor's Office; **records of reported cases of domestic violence**; records on the manner of the committing of criminal acts by a known perpetrator; records on the manner of the committing of criminal acts by an unknown perpetrator; **records by types of crimes**; records of additional events characterised as security events in the area of public order and peace, border affairs, and foreigners; and records of traffic accidents with fatalities. More specifically, Articles 10, 17, and 80 from the Mol **Rulebook on the Content and the Manner of Keeping the Police Records** and the Form and Content of the Police Records (Official Gazette 160/2013, 56/2014, and 130/2019) designates that the records shall be kept in relation to reported cases of domestic violence and on temporary protection orders executed by the Mol. In Article 17, where the recording and records of cases of domestic violence are regulated, **there is lacking a specific record on whether a firearm was used or its use was threatened in cases of domestic violence, including in regard to ownership or any other relevant data of interest**. Article 12 is related to records on the perpetrators of crimes and contains records on the manner how the criminal act was committed, including the use of force, a cold weapon, or firearms, or the threat of their use, etc. Records on stolen weapons are also kept and are regulated in Articles 41 and 45 of this rulebook. Article 51 regulates records on suicides. Similar to records on the manner of how criminal acts have been committed, records on how suicides have been committed are recorded, i.e., whether by hanging, the use of firearms, drowning, drug poisoning, jumping from a height, throwing oneself under a train, etc. The other two occasions where firearms are mentioned in this rulebook are related to those records on conducting so-called criminalistics controls (when there is a general

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suspicion) and criminalistics processing (when there is a concrete reasonable suspicion that a criminal act has been committed) in relation to whether the supposed perpetrator possessed/possesses firearms and whether the criminal act is related to trafficking in firearms. The use of the means of force, i.e., firearms, by Mol employees in performing their duties is also addressed.

The Law on Social Protection (consolidated version 275/2019) stipulates the obligation for keeping records in social protection institutions. Namely, Article 254 designates that the social protection institution shall keep records on the beneficiaries of social protection rights and shall maintain documentation of their professional work. The records for each user contain data such as the unique personal identification number of the citizen and his/her gender, age, address of residence, and other data relevant to the user and his/her family members, i.e., household, which refer to determining the individual's status and the state of social risk. In the collection, processing, use, exchange, and storage of data on social protection beneficiaries, regulations in the field of personal data protection are applied. The manner of keeping the records and their content and documentation is to be prescribed by the Minister. Article 255 further establishes that the records are to be kept on users/persons who have exercised a right or service in accordance with the law related to: social protection; child protection; family legal protection; civil invalidity payment; **domestic violence**; and criminal law regulations.

Box 3:
**Good Practices:
Australia and
Canada**

Legislative reforms with respect to ownership and licensing of firearms undertaken in Canada and Australia correlate with a decrease in the overall homicide rate (15 percent in Canada and 45 percent in Australia) and particularly the female homicide rate (45 percent in Canada and 57 percent in Australia) (IPU, CHD, 2007, p. 86). This is indicative of the strong link between introducing tougher firearms control measures and a decrease in the lethality of the outcome in cases of intimate partner violence (AI, IANSA, OI, p. 14).

One of the most recognized measures in this regard is spouse notification, which was first introduced in Canada and has been widely promoted. Spouse notification became included in the application process for acquiring a license to possess a firearm (Possession and Acquisition License - PAL). Namely, if an individual wishes to obtain a firearm license, her/his current and former spouse(s) (in the last 2 years) are to be notified. Even though the spouse's consent is not required, if a spouse has any suspicions, a second revision of the application will be initiated. Furthermore, a PAL application will be reviewed in the case of any reported crimes, including domestic violence (CGA, p. 2).

This builds upon previously adopted measures as a response to the lethality of firearms in the domestic context and the restriction of access to firearms to perpetrators of domestic violence, such as: the strengthening and improvement of the screening process and that 'extensive background checks are conducted on every person who applies for a license and continuous monitoring of firearm licensees is intended to ensure that license eligibility is immediately reviewed when there is a domestic violence incident' (Ibid., 2).

Legislative reforms in Australia aimed at addressing, among other issues, the use of firearms in the context of domestic violence and numerous associated provisions have been introduced. The Firearms Act (1996) introduced the mandatory suspension of an adult firearm license "if the registrar believes on reasonable grounds that the licensee has been charged with, committed or threatened to commit a domestic violence offence. A license is automatically suspended under the Domestic Violence and Protection Orders Act 2008, if the Magistrates Court makes an interim protection order, unless the court orders otherwise. Under that section, the Magistrates Court may also order seizure of the license, and seizure and detention of firearms and ammunition, for the period of the interim order. A license is also automatically suspended under the Domestic Violence and Protection Orders Act 2008, (s 80 - Firearms and emergency orders) if a judicial officer makes an emergency order. The officer may also order seizure of the license, and seizure and detention of firearms and ammunition, for the period of the emergency order. If the registrar suspends a license under this section, the registrar must give written notice of the decision to the licensee (see s 260)."

3. RESPONSE TO GENDERED ASPECTS OF FIREARM DEMAND, USE, AND MISUSE

This section provides an overview of legislative and policy responses to the gender aspects of firearms demand, use, and misuse. The particular focus is on measures for the prevention of the misuse of firearms, particularly by young men. The section aims to capture the response in this context in relation to the overlapping factors of gender and age, as well as to present the measures for the prevention of the use of firearms.

3. RESPONSE TO GENDERED ASPECTS OF FIREARM DEMAND, USE, AND MISUSE

Several specific policies address issues relevant for enhancing the gender responsiveness of firearms control in North Macedonia. The overwhelming majority of measures for tackling the gender aspects of small arms are stipulated in the Control of Small Arms and Light Weapons Strategy (hereinafter referred as the Strategy) and the 2017 – 2021 Action Plan⁶¹. Other strategies only marginally address these aspects or fail entirely to recognize a specific convergence between firearms control and their respective field.

Small Arms and Light Weapons Control Strategy and the accompanying 2017 – 2021 Action Plan envisage the implementation of *preventive measures to address the influence of gender roles and dominant masculine attitudes in stimulating the demand and misuse of firearms, especially among young men*. In addition, as part of specific objectives related to awareness raising, the Strategy envisages several activities relevant to the prevention of firearm misuse and armed violence, particularly among young men.

Under Goal 3.5 - Reducing the availability, demand, and misuse of firearms through raising awareness, education, information, and lobbying, and under Specific Goal 3.5.1 - Raising the awareness of citizens about the dangers of using small arms and light weapons in order to reduce the presence of weapons in the community and change the “gun culture,” it is envisaged that efforts will be made to:

- *conduct an analysis of the relevant target groups;*
- *prepare and implement awareness-raising campaigns focused on specific groups and/or that aim at specific behaviour (boys, hunters, shooting celebrations, domestic and gender-based violence, private security, training centres, etc.);*
- *conduct training on gender-sensitive communication; and*
- *include activities to reduce violence among young people within education.*

The Strategy also envisages the preparation and institutionalization of research on perceptions regarding the use, possession, and danger of firearms with data disaggregated by sex and age, etc.

Gender and age concerns

As outlined in Section II, the overlap of gender and age factors could fuel demand for firearms and shape risk-taking behaviour, particularly among certain groups of young men, underlining the necessity to address these factors.

Apart from the SALW Control Strategy, age concerns are to a limited extent addressed in current small arms control legislative and policy frameworks. As per the Law on Weapons (consolidated version 97/2018), the minimum age requirement for firearm license approval is 18 years. Security vetting procedures fail, as do the assessments of medical fitness and all bylaws, to provide comprehensive guidance on specific risk factors which might determine whether an applicant, a young man in particular, could resort to violence (such as, for example, through affiliating with a gang or socializing with delinquent peers, etc.).

The National Youth Strategy 2016-2025⁶² envisions activities in the field of Health related to youth and violence and youth and gender-based violence. In this regard, the Strategy cites *increased incidences of violence, both peer-to-peer violence and gender-based violence, bullying, and injuries among young people* among key challenges related to youth health.

Under Objective 1 of the strategy - To reduce risk behaviour associated with SRH (sexual and reproductive health), and the use of tobacco, alcohol, and PASs (psycho-active substances) and violence among Macedonian youth aged between 15 and 25 by 2025, a number of activities/measures that should lead to decreased violence committed by youth are envisioned. Activities envisaged under Objective 2 of the Strategy - To foster the conditions for improving the mental health and behaviour of young people in North Macedonia, i.e., *intensifying cooperation among professionals in schools for recognizing violent behaviour and victims of violence (gender-based and other types of*

61] http://www.mvr.gov.mk/Upload/Editor_Upload/Стратегија%20за%20МЛО%20и%20АП%202019.pdf accessed in November 2020.

62] Whether this strategy is still used and being implemented is a matter of question. Namely, the current Director of the Agency for Youth and Sports, according to the Agency's public announcement from November 10, 2020 on the working meeting with the representatives of the National Youth Council announced that the priorities of the Agency in the forthcoming period are the implementation of the Law on Youth Participation and Youth Policies, establishment of a youth register, appointment of a youth officer in each institution at the national and local levels, the development of a new strategy for youth and action plan, establishing a youth council within the AMC (Army Material Command), and starting the process of establishing local youth councils.

violence); peer education and sensitising professionals in working with young offenders - could be used as a springboard for linking violence and, more specifically, gender-based violence prevention and small arms control.

The National Action Plan for Gender Equality 2018-2020⁶³ does not contain any measure or activity directly referring to the use/misuse of firearms, despite the highly gendered nature of small arms.

However, *Specific Objective 2.4 - Education* envisages a number of preventive activities/measures that could serve as entry points for linking violence prevention and SALW control. Namely, under *Specific Strategic Goal 2.4, Result: Improved gender sensitive laws and policies in the educational process*, the following activities are intended:

- the development of protocols for dealing with cases of gender-based violence, harassment, and bullying in kindergartens and schools, including violence based on gender, sexual orientation, and gender identity;
- the revision of counselling programs for parents and students in primary and secondary education on procedures for dealing with cases of gender-based violence, harassment, and bullying, including violence based on gender, sexual orientation, and gender identity.

Furthermore, under the same specific strategic goal, *Result: Raised public awareness of gender-based bullying and violence in schools*, the organizing of a national campaign against gender-based harassment and bullying in schools is envisioned.

All activities stipulated under this specific goal were planned for 2019 and were supposed to be implemented by the Ministry of Education in cooperation with the Ministry of Labour and Social Policy and CSO's. There was no financial plan and the expected sources were to be the budget of the respective ministries and donations.

FIREARM SUICIDE PREVENTION – NATIONAL STRATEGY FOR IMPROVING MENTAL HEALTH IN THE REPUBLIC OF NORTH MACEDONIA WITH AN ACTION PLAN (SEPTEMBER 2018 – 2025)

Among the health-related policies, the National Strategy for Improving Mental Health in the Republic of North Macedonia with an Action Plan 2018-2025⁶⁴ envisions activities for suicide prevention. The screening and identifying of risk groups for suicidal behaviour is recognized as particularly important for suicide prevention. In this regard, it is necessary to redefine and reorganize the Centres for Depression within the University Clinic of Psychiatry and Centres for Mental Health in communities. The strategy recognizes that suicide prevention is not solely the responsibility of the Ministry of Health but that it requires concerted cross-sectoral actions.

Furthermore, the strategy envisages: public health programs aimed at the most at-risk groups in relation to suicidal behaviour; awareness raising about depression and the basic symptoms of suicide risks; education of the staff in the educational institutions, in the police, in fire brigade units, in ambulance crews, and in the media; opening centres for the prevention of suicide and crisis situations; and celebrating September 10 - World Suicide Prevention Day.

This strategy does not recognize a specific risk related to use of firearms in suicides and does not envisage measures to be taken by responsible authorities in reducing the risk of the use of firearms in suicides.

The timelines for the implementation and the corresponding responsible institutions are stated in the brackets alongside the activities. The state budget is stated as the expected source of funding for all activities. As with the rest of the strategies mentioned, there is no financial plan.

63] <https://www.mtsp.gov.mk/content/word/dokumenti/dokumenti%202018/HPIA%203a%20родова%20еднаквост%202018-2020.doc> (accessed on November 18, 2020)

64] <http://zdravstvo.gov.mk/wp-content/uploads/2020/05/strategija-za-MZ-2018-2025-170718-pf-1.pdf> (accessed on December 4, 2020)

4.

GENDER SENSITIVE RECORD KEEPING PRACTICES

This section provides an analysis of the legal regulation of firearms data collection, including record-keeping of data on license approval, removal, and revocation with respect to gender statistics and sex and age disaggregation. It particularly aims to provide insight into the extent to which the applicable legislation enables gender and age sensitive record-keeping.

The availability of sex and age disaggregated data is critical for properly understanding the gender differentiated effect of small arms on the safety and wellbeing of women and men and for the development of legislative and policy responses to tackle gender aspects of small arms control. Gender statistics go well beyond sex-disaggregation and include sex-disaggregated data that capture specific gender issues, such as domestic violence. Gender statistics aim to capture specific realities in the lives of women and men. Namely, having only sex-disaggregated data does not ensure that these specific realities will be captured if they do not reflect gender roles, relations, and inequalities in society.

While firearm data collection is primarily governed by the SALW legislative and policy framework, there are general obligations for state and private entities stipulated by the Law on Equal Opportunities of Women and Men⁶⁵ to collect, record, and process statistical data and that they shall be obliged to present these data according to gender and to submit them to the State Statistical Office.

The **Law on Weapons (consolidated version 97/2018)** (Section – XI, Records, Article 75) states that the Ministry of the Interior is to keep records of: the issued approvals for the procurement of firearms; the submitted applications for the registration of firearms; requests for the replacement of existing firearms licenses; licenses for the possession of firearms; licenses for carrying firearms; certificates for the possession of firearms; approvals for the procurement of firearms by firearms collectors; submitted requests for the registration of firearms by firearms collectors; permits to collect firearms and declared category D firearms; confiscated, found, and relinquished firearms and ammunition; approvals for the production and repair of firearms; certificates of firearms disabled from use; firearm marketing authorizations; firearm transfer authorizations (transfers); firearm transportation authorizations; authorizations for the establishment of civilian shooting ranges; authorizations for the procurement and export of firearms and ammunition from the state; authorizations for the import of firearms and ammunition and the import of firearms and ammunition issued by the diplomatic-consular mission; approvals for the possession and carrying of hunting firearms for the purpose of hunting in the country; approvals for the transfer of sporting firearms; and approvals for the transit of firearms and ammunition.

These records are kept in accordance with the Law on General Administrative Procedure and they should contain data from the application forms, permits, and approvals provided by the Law on Weapons.

Article 76 stipulates that shooting and hunting associations, legal entities hunting in established hunting grounds, and other legal entities possessing weapons shall keep records of their firearms and ammunition and of the persons to whom firearms are given for use. Records of firearms and ammunition are also required to be kept by the companies that perform: the production of firearms and/or ammunition, the delivery of firearms and ammunition; the repair of firearms; the disabling (deactivation) of firearms, i.e., firearms that are permanently or temporarily disabled, as well as for those issued certificates for performing the technical procedure of disabling firearms; for trading in weapons and ammunition; and for the purchase and sale of firearms and ammunition. Civilian shooting ranges are required to keep records of ammunition issued and used.

Additionally, the **Rulebook on Firearms and Ammunition Forms and the Manner of Keeping Weapons and Ammunition Records** (consolidated 35/2014) states in Article 25 that for the issued approvals, certificates, and licenses for firearms and ammunition, as well as for the submitted requests to the Ministry of the Interior, records are to be kept in the form of registers⁶⁶, which shall consist of the:

1. Register of issued approvals for the procurement of firearms, parts for firearms, and ammunition;
2. Register of submitted applications for the registration of firearms;

[65] The **Law on Equal Opportunities of Women and Men (consolidated version 150/2015)**, in Article 18 - Presentation of Statistical Data, stipulates that the Assembly, the Government, state administrative bodies, judiciary bodies and the other state bodies, the bodies of the local self-government units, legal entities invested with the performance of activities of public interest by law, associations, foundations, public enterprises, educational institutions, institutions in the field of social protection, health institutions, political parties, mass media, trade companies, and other entities obliged by law to collect, record, and process statistical data shall be obliged to present these data according to gender and to submit them to the State Statistical Office.

[66] The registers are kept in a bound books with pages of the dimensions of 300 mm height and 400 mm length, on which on the cover page in the upper left corner is written "Republic of Macedonia - Ministry of the Interior," and in the middle the name of each of the registers is written. Each side of the register has an ordinal number written in Arabic numerals, in ascending order. The registers are kept manually or through an automatic data processing system.

4. GENDER SENSITIVE RECORD KEEPING PRACTICES

3. Register of requests for the replacement of existing permits;
4. Register of issued firearm permits;
5. Register of issued permits for the possession of firearms;
6. Register of issued permits for the carrying of firearms;
7. Register of issued permits for the possession of firearms;
8. Register of issued permits for the procurement of firearms by a collector;
9. Register of submitted requests for the registration of firearms by a collector;
10. Register of issued permits for firearms collectors;
11. Register of firearms collectors;
12. Register of reported firearms by category;
13. Register of confiscated, found, and relinquished weapons and ammunition;
14. Register of issued permits for the production of firearms and ammunition and the repair of firearms;
15. Register of issued permits for firearms that are permanently disabled from use;
16. Register of issued firearm marketing authorizations;
17. Register of issued permits for the transfer of firearms;
18. Register of issued firearm transport permits;
19. Register of issued permits for the establishment of civilian shooting ranges;
20. Register of issued permits for the procurement and export of firearms and ammunition from the state, for the import of firearms and ammunition, for the import of firearms and ammunition issued by diplomatic and consular missions, for the possession and carrying of hunting firearms for the purpose of hunting in the country, and for the transfer of sporting firearms; and
21. Register of issued permits for the transit of firearms and ammunition.

None of the forms (100 pages) prescribed by this book contain a column/field for gender. In addition, there is no provision that stipulates that the data of confiscated and returned weapons be recorded.

Currently, there is no legal provision that regulates that the data of temporary seized and returned weapons be recorded.

The Small Arms and Light Weapons Control of Strategy and 2017 – 2021 Action Plan establishes Specific Objective 2.1 - The monitoring and analysis of firearms, ammunition, and explosives related crimes, with data segregated by gender and age. Specific activities under this goal include **the institutionalization of the methodology for data collection in all relevant institutions regarding the distribution and the consequences of firearms, ammunition, and explosives, with the data segregated by sex and age, and training on gender segregated statistics and gender sensitive data collection.**

In addition, Specific Objective 2.2.14 envisages **coordinated data collection activities in cases of domestic violence related to the use or threat to use firearms. Under this specific goal, the following activities are envisioned**, alongside associated activities:

- review current policies and practices and establish measures to address the misuse of firearms in cases of domestic violence and intimate partner violence;
- establish cooperation with non-governmental organizations.

The Ministry of the Interior, Ministry of Health, Ministry of Labour and Social Policy, Ministry of Justice, and Ministry of Education and Science, as well as non-governmental organizations and other relevant state institutions whose work touches upon the matter of small arms and light weapons are to be responsible for the implementation of these plans. The period 2017-2021 is set as a period of implementation, with expected financial support from international aid.

The Court Rules of Procedure (Official Gazette 66/2013) and Rules of Procedure for Amending and Supplementing the Court Rules of Procedure (Official Gazette 114/2014) are to regulate the manner for keeping, recording, deleting, and issuing data related to: all persons accused of committing a crime; all perpetrators of a misdemeanour committed on the territory of the Republic

of North Macedonia who have been imposed with a misdemeanour sanction; bans on driving a motor vehicle; bans on performing a profession, activity, or duty; expulsion of a foreigner from the country; and temporary bans to perform a certain activity. However, these data are not disaggregated by sex. The sex of a person may be determined indirectly through the name and surname of the person and/or through the person's unique identification number.

The State Statistical Office regularly gathers and analyses data of reported, accused, and convicted adults and children – the perpetrators of crimes. These data are the result of regular annual statistical surveys which provide information on perpetrators of crimes at all stages of the proceedings, starting from the filing of the report, and through to the end of the validity of the judgment. The data is sex disaggregated. More precisely, the data is gathered by individual statistical questionnaires filled in by the Basic Public Prosecution Offices and Basic Courts, while data processing is done at the State Statistical Office of the Republic of North Macedonia. The Law on State Statistics (consolidated version 31/2020) has no provision stating which types of statistics are to be gathered and analysed. There is no obligation for gathering data on the victims of crime or their characteristics.

In addition, the State Statistical Office annually publishes **reports on violent deaths**. The data are not only sex disaggregated, but also provide information on the means used to commit homicides/suicides. The data are presented in accordance with the International Statistical Classification of Diseases and Related Health Problems, 10th Revision. Health records, data collections, and registers in the field of health, in the manner of collecting, processing, archiving, storing, and publishing data, in ensuring data quality and data protection, and in exercising the rights and obligations related to records in the field of health are regulated by **the Law on Health Records** (consolidated version 150/2019). More specifically, the issue of record-keeping is regulated by the **Guidelines for Keeping Health Records** (Official Gazette 21/1985). Article 6 from the guidelines recognizes the factor of sex as a basic vital feature for data keeping.

5.

ARMS TRADE

This section analyses whether legislation regulating arms export takes into account the risks of firearms being used to commit gender-based violence. The analysis is focused on the obligations derived from the Arms Trade Treaty (Article 7.4) and the EU Common Position on Arms Export.

THE ARMS TRADE TREATY

The implementation of the commitments undertaken under the Arms Trade Treaty, Article 7.4 assumes that the national legislation considers the risk of conventional arms or other items being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children when conducting export assessments. **The Law on the Production and Trade of Arms and Military Equipment** (consolidated version 64/2018) stipulates basic alignment with the Arms Trade Treaty. The Treaty was signed on September 23, 2013 and was ratified on March 6, 2014 by the Republic of North Macedonia. Article 31-h from this law stipulates that the Ministry of Economy will reject the request for the issue of a license for the export/import, transit, and brokerage services of firearms when it assesses that the export/import, transit, or brokerage services of the products for armaments and military equipment could cause negative consequences regarding:

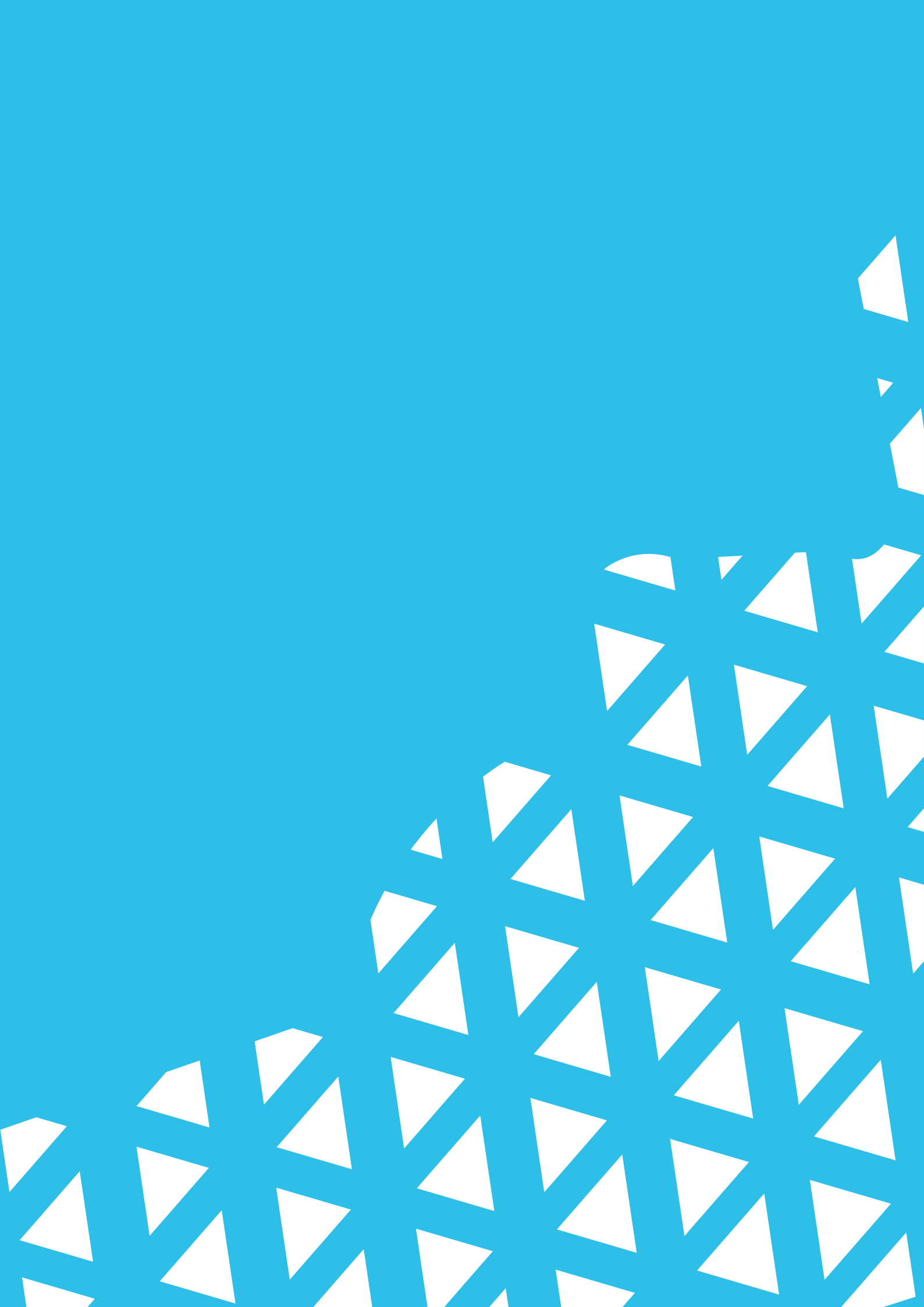
- endangering the fulfilment of the international obligations of the Republic of North Macedonia;
- endangering the security or defence interests of the Republic of North Macedonia;
- endangering the foreign political or economic interests of the Republic of Macedonia, or if they are in conflict with these interests;
- the possibility of the outbreak or continuation of armed conflicts in the country involving the end user of the products for armaments and military equipment;
- the possibility for the use of the products for armament and military equipment for internal repression in the country of the end user of those products for armament and military equipment;
- *the purpose of their end use and the risk of their misuse; and*
- established knowledge that the effect of the products for armaments and military equipment do not correspond to the data stated in the request to the Ministry, or when the exporter or manufacturer, at the request of the Ministry, has not allowed for the inspection of arms and military equipment or provided the relevant accompanying documentation.

It is worth noting that Article 31- h was adopted prior to the ratification of the Arms Trade Treaty. **This Law on the Production and Trade of Arms and Military Equipment has seven bylaws, though none recognize or mandate any risk assessment related to gender-based violence or violence against women.** In that regard, whether and in which form the risk assessment is conducted requires further research.

THE EU COMMON POSITION ON ARMS EXPORT

On July 5, 2010, the Government of the Republic of North Macedonia adopted the *Decision Adopting the Common Position of the Council of the European Union 2008/944/CFSP Laying Down Common Rules Governing the Control of Exports of Military Technology and Equipment*. Article 2 of the *EU Common Position on Arms Export*⁶⁷ establishes the following criteria:

Criterion One: Respect for the international obligations and commitments of Member States, in particular the sanctions adopted by the UN Security Council or the European Union, agreements on non-proliferation and other subjects, as well as other international obligations and commitments; Criterion Two: Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law; Criterion Three: Internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts; Criterion Four: Preservation of regional peace, security and stability; Criterion Five: National security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries; Criterion Six: Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law; and Criterion Seven: Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.



V

CONCLUSIONS AND RECOMMENDATIONS



CONCLUSIONS

- The Republic of North Macedonia has undertaken key international commitments in the area of gender equality, peace and security, small arms and light weapons control, and the 2030 Agenda for Sustainable Development.
- Through recent legislative and policy developments, significant efforts have been made to address the gendered dimension of small arms at both the legislative and policy levels. This is primarily reflected in the recently adopted legislative provisions to prevent and combat the misuse firearms in the context of domestic violence, and, to a lesser degree, policy efforts to address other gender concerns related to small arms – such as gendered factors fuelling demand for firearms and shaping risk-taking behaviour, the participation of women in SALW control, and establishing preconditions for the integration of the gender perspective in SALW control policy making.
- With respect to the **regulation of the civilian possession of firearms and the prevention of the misuse of firearms in domestic violence**, the Law on Weapons considers “domestic violence” and “severely disturbed relationships in the family” as dangers to public order, and, consequently, as grounds for the rejection of the application of a permit to acquire firearms. Reasons for restricting access to firearms include both the criminal history of the applicant (i.e., if the applicant has been legally convicted for domestic violence), and circumstances indicating that firearms could be misused in the context of domestic violence.
- This is also reflected in the procedure for the renewal of a firearms license, which accords to the same set of requirements as the license approval.
- The legislation has extensively regulated the proceedings of the most relevant institutions, the Centre for Social Work and the police, in cases when firearms have been used or if there has been a threat that they would be used, as well as when firearms are possessed by a perpetrator authorized to carry and use weapons.
- In addition to the risk assessment, the possession of, use of, or the threat of use of a firearm by a civilian in the context of domestic violence constitute grounds for the temporary seizure of the weapon, and, if justifiable grounds are found for its seizure, then it is to be confiscated. Consequently, the license is temporarily revoked until a final court decision is made, which in the case of a conviction results in the license being permanently revoked.
- If the authorities assess that return of a firearm may pose a threat or a danger, they may decide not to return it, even without grounds for prosecution.
- The protection measures⁶⁹ contained in the Victim Safety Plan include the temporary seizure of firearms and weapons licenses from the perpetrator and the informing of the employer about reported domestic violence in cases when the perpetrator has access to, within the performance of professional duties, firearms, i.e., handles official firearms.
- The legislation recognizes the incidence of domestic violence as a basis for the temporary seizure of firearms for a large group of security personnel, which is to remain in effect until the relevant court’s decision in criminal, misdemeanour, and/or temporary protection orders for domestic violence proceedings becomes final, including mandatory psychiatric and psychological examination or counselling with a psychologist (psychological counselling) for assessing the ability of the perpetrator to carry out his/her duties involving the carrying and using of a firearm.

69] These measures are: contacting the victim in the first 12 hours after the adoption of the plan; contacting the victim regularly, and at least once every 24 hours, for the duration of the safety plan; providing a telephone number which the victim can call in case of imminent danger; providing health examinations and medical documentation; providing accommodation in a centre for persons/victims of domestic violence; providing social protection; providing psycho-social support and counseling; providing legal advice and free legal aid; temporary seizure of firearms and weapons licenses from the perpetrator and weapons; informing the employer about reported domestic violence in cases when the perpetrator has access to, within the performance of professional duties, firearms, i.e., handles official firearms; notification of the relevant educational institution of the risk to children of domestic violence and the recurrence of violence; timely and completely informing the victim about the course of the proceedings against the perpetrator before the competent authorities and the outcome of the proceedings; and taking other measures necessary for providing assistance to the victim.

- A special department at the Basic Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption is responsible for the investigation and prosecution of crimes committed by persons with police powers (the Police, the Financial Police, and Investigative Customs Officers) and the members of the Prison Police.
- However, despite important progress having been made, certain gaps remain that need to be addressed. Security vetting procedures do not provide firm guidance on the assessment of whether firearms could be misused in the context of domestic violence, unless the violence has been reported. That domestic violence most often goes unreported places special importance on security vetting as a potentially effective tool for preventing firearms misuse in the context of domestic violence.
- In addition, neither the Law on Weapons nor any accompanying bylaws prescribe interviews with current and former partners and other family members during the conducting of background checks for domestic violence. Similarly, there is no provision regarding security vetting procedures that includes mandatory consultation with the Centre for Social Work, nor on verifying a history of domestic violence.
- The Law on Weapons does not contain a specific provision legally mandating the notification of the spouse or close family member on behalf of the responsible institution during the process of an individual obtaining a firearm license.
- An issued temporary restraining order for the prevention of acts of domestic violence is not stated as a mandatory condition to be vetted in the security vetting procedures in the Law on Weapons.
- While all forms of domestic violence are criminalized within the Criminal Code (consolidated version 248/2018), there is no specific provision stating that all forms of domestic violence, such as physical, psychological, sexual, and economic, are to be considered when checking on "domestic violence" as a requirement, unless they have been legally sanctioned.
- The storage of firearms and ammunition by both natural persons and legal entities, such as those selling weapons or the maintaining civilian shooting ranges, is regulated.
- There are no clear provisions on whether candidates to be employees in security sector institutions are vetted for domestic violence.
- While relevant legislation extensively regulates the use of firearms by security sector personnel while on duty, the carrying and holding of service firearms outside of their working hours might require further regulation.
- With respect to considering the gender dimension of small arms, the overwhelming majority of measures are directed by the Control of Small Arms and Light Weapons Strategy 2017-2021. The strategy contains measures for gender mainstreaming and addressing the gender aspect in SALW related policies and legislation.
- The Strategy calls for the full integration of gender and age issues into SALW control policies and for ensuring the significant participation of women in SALW control. The accompanying action plan envisages activities related to; the capacity building of the SALW Commission and other relevant institutions; the implementation of measures envisaged in amendments to the Law on Weapons addressing the use of firearms in cases of domestic violence; addressing the influence of gender roles and dominant masculine attitudes in fuelling the demand and misuse of firearms, especially among young men; awareness-raising campaigns focused on particular groups and/or aimed at particular kinds of behaviour (young men, hunters, celebratory gunfire, domestic and gender-based violence, private security, training centres, etc.); and institutionalization of the methodology for the collection of data which are sex and age disaggregated.
- However, these commitments are almost unanimously unaccompanied by a financial plan, which may hamper their implementation.
- The legislation in the Republic of North Macedonia provides a robust basis for the integration of the gender perspective into each phase of the process of building,

adopting, implementing, monitoring, and evaluating policies, and especially for the integration of the gender perspective into legislation.

- There is a legally recognized responsibility for the adoption and implementation of gender related measures for various social actors, such as the Assembly, government, state administrative bodies, the Ministry of Labour and Social Policy, the Ombudsperson, local-self-government units, political parties, and mass media to integrate the gender perspective into laws and policies.
- The country has adopted a vast number of strategies that address the issues of SALW and gender equality, including domestic violence, such as: the Control of Small Arms and Light Weapons Strategy and 2017 – 2021 Action Plan; the National Youth Strategy; the Second National Action Plan of the Republic of North Macedonia for the Implementation of UN Security Council Resolution 1325 – Women, Peace and Security 2020-2025, Strategic Framework; the National Action Plan for Gender Equality 2018-2020; the Action Plan for the Implementation of the Convention for Prevention and the Fight against Domestic Violence against Women 2018-2023; the National Strategy for Improving Mental Health in the Republic of North Macedonia and Action Plan 2018 –2025, etc. However, non-coherence between these strategies is noticeable.
- The National Youth Strategy 2016-2025 only indirectly tackles issues relevant to SALW, particularly in regard to those derived from the overlap of gender and age factors, which, in cases of specific groups of young men, can fuel demand and shape risk-taking behaviour, underlining the necessity to address these factors.
- Women's equitable representation in SALW policy making and implementation as a precondition for gender mainstreaming is legally regulated.
- Data collection on firearms is stipulated in the legislative and policy framework of SALW, the Law on Weapons, and the Rulebook on Firearms and Ammunition Forms and the Manner of Keeping Firearms and Ammunition Records.
- The Law stipulates the general obligation of state and private entities to collect, record, and process sex disaggregated data, including the obligation to present these data and to submit them to the State Statistical Office.
- Finally, the country has introduced the legal obligation of all institutions that have a mandate to act in cases of domestic violence to collect data on domestic violence.

RECOMMENDATIONS

Despite overall progress visible at both the legislative and policy levels, in order to fulfil the goal of this analysis - to contribute to increasing gender responsiveness in the small arms control legislation and policies in the Republic of North Macedonia, the following recommendations for further enhancement of legislation and state responses are proposed:

INTERNATIONAL COMMITMENTS

- In order to further bolster the gender responsiveness of SALW control legislation and policies, the authorities should address renewed commitments to gender equality set in the Outcome Document of the Third Review Conference⁷⁰ of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects - PoA, including to provide data on gender considerations in its next reporting cycle (the last one was from 2018⁷¹) of this programme.
- The Republic of North Macedonia should fully embrace the 2030 Agenda for

Sustainable Development⁷² to revise the next steps presented in the Voluntary National Review submitted in 2020 by the country and take concrete steps in achieving the targets set under SDG 5 - Achieve Gender Equality and Empower All Women and Girls, and SDG 16 - Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels.

- Article 31-h of The Law on the Production and Trade of Arms and Military Equipment (consolidated version 64/2018) should be fully aligned with the criterion set by the Arms Trade Treaty Common Position of the Council of the European Union 2008/944/CFSP. In this regard, in order to prevent exported conventional arms from being used to commit or facilitate gender-based violence or violence against women, a bylaw mandating and addressing necessary risk assessments should be adopted.

GENDER ANALYSIS OF LEGISLATION AND POLICIES RELEVANT TO SMALL ARMS CONTROL IN NORTH MACEDONIA

Legislative and policy preconditions for the integration of the gender perspective and the participation of women in small arms control

- A mechanism should be established for the participation of the relevant gender mechanisms (particularly from the Ministry of Labour and Social Policy) and of CSO's working on gender equality and gender-based violence in SALW control policy development, implementation, and evaluation.
- Procedures should be established in the Rulebook on the SALW Commission to ensure balanced participation of women and men in the SALW Commission.
- It should be ensured that a representative of the Ministry of Social Affairs in charge of gender equality (Sector for Equal Opportunities) is included in the work of the SALW Commission.
- Gender-responsive budgeting should be utilised as a tool to enhance the implementation of gender equality commitments related to SALW control.

LINKAGES BETWEEN FIREARMS AND DOMESTIC VIOLENCE, VIOLENCE AGAINST WOMEN AND GENDER-BASED VIOLENCE

- In Article 3 of the Law on Weapons (consolidated version 97/2018), the definition of domestic violence as contained in the *Criminal Code and in the Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015)*, Articles 3 and 4 should be included in order to assure that all forms of domestic violence, such as physical, psychological, sexual, and economic, are considered when security vetting related to "domestic violence" is conducted as required under Article 12.
- Article 12 in the Law on Weapons (consolidated version 97/2018) should mandate the notification of the spouse⁷³ (current and former spouses from the last two years)

72] <https://sdgs.un.org/goals>

73] Examples from a number of countries show the potential positive impact of targeted policy interventions. For instance, legislative reforms with respect to ownership and licensing undertaken in Canada and Australia correlate with a decrease in the overall homicide rate (15 per cent in Canada and 45 per cent in Australia) and particularly the female homicide rate (45 per cent in Canada and 57 percent in Australia) (IPU, CHD, 2007, p. 86), which indicates that there is a strong link between introducing tougher weapon control measures and a decrease in the lethality of the outcome in cases of intimate partner violence (AI, IANSA, Ol, p. 14). One of the most recognized measures in this regard is spouse notification, which was first developed in Canada and has been widely promoted. Spouse notification was included in the application process for obtaining a license to possess a firearm (Possession and Acquisition License - PAL). Namely, if an individual wishes to obtain a firearm license, her/his current and former spouses (last 2 years) are to be notified. Despite the fact that the spouse's consent is not required, in the event that a spouse has any suspicions, a second revision of the application will be initiated. Furthermore, a PAL application will be reviewed in the case of any report of crimes, including domestic violence (CGA, p. 2). This builds upon previously adopted measures as a response to the lethality of firearms in the domestic context and the restriction of access to firearms to perpetrators of domestic violence such as: the strengthening and improvement of the screening process and the fact that extensive background checks are conducted on every person who applies for a license and continuous monitoring of firearm licensees is intended to ensure that license eligibility is immediately reviewed when there is a domestic violence incident (Ibid., 2).

and of close family members by the responsible state institution during the process of an individual applying to obtain a firearm license. In the event of any suspicions, a second revision of the application should be initiated.

- Article 12 in the Law on Weapons (consolidated version 97/2018) should include a procedure of verification for obtaining evidence for each of the circumstances stated in Article 12, line 3. This is especially important given the shortcomings in reporting and documenting cases of domestic violence and the challenges of coordination between the police and Social Welfare Centres. This should also include consultation with the Centre for Social Work and obtaining data on any history of domestic violence, including stalking when it becomes legally introduced.
- Furthermore, a specific bylaw such as a Rulebook for the Security Vetting of Domestic Violence should be developed and adopted by the Ministry of the Interior.
- In Article 12, para. 1, item 1 from the Law on Weapons (consolidated version 97/2018), where it states “legally convicted for a criminal act committed with intent, which is prosecuted ex officio,” the passage should be amended by deleting the text after the comma. Namely, the criminal prosecution for all criminal acts committed as an act of domestic violence is undertaken ex officio, except for the criminal act of Bodily Injury from Article 130, para. 2 of the Criminal Code, for which the prosecution is undertaken ex officio upon a previously filed proposal of the victim of domestic violence within 90 days from the moment of the violent event and information having been obtained about the perpetrator. In addition, a new item should be added – “if the person has been issued a temporary protection order for domestic violence.”
- Article 43 from the Law on Weapons (consolidated version 97/2018) does not explicitly refer to a court decision for imposing temporary protection orders in cases of domestic violence as grounds for the revocation of a firearm license. Consequently, it is recommended that this article be amended by including such a decision as grounds for revocation.
- The Law on the Intelligence Agency and the Law on Defence, regulating authorized officials working in intelligence, counterintelligence, and in the prevention and detection of crimes committed by persons should include procedures that are to be applied if their employees commit domestic violence, as it is regulated regarding other security personnel and so that it be aligned with the state policy approach on this issue.
- Align the procedure applied to cases when private security employees conduct domestic violence with the provision applied for other security personnel in the Law on Weapons or suggest that this procedure shall be regulated in the Law on Private Security (consolidated 55/2016). By adopting this proposed recommendation, the authorities will ensure a more uniform response toward this issue.
- Security vetting of the history of all forms of domestic violence during the recruitment process should be regulated in the Law on Internal Affairs and the Law on Financial Police.
- In addition, a provision for vetting the history of all forms of domestic violence of applicants to be employees and employees should be included in: the Law on the Intelligence Agency; the Law on the Execution of Sanctions; the Law on Customs Administration; the Law on the Judicial Service; the Law on Military Service; and the Law on Defence, as well as for those engaged in military counterintelligence and intelligence.
- While relevant legislation extensively regulates the use of firearms by security sector personnel while on duty, the carrying and holding of service firearms outside of working hours and working stations might require further regulation. Therefore, it is recommended that this issued be thoroughly regulated by amendments to those specific laws regulating the operation of security sector personnel.
- The approaches for risk assessment and risk management by police and social welfare centres should be reassessed and realigned in accordance with the Istanbul Convention and consequently address as a risk both the possession of and access

to firearms regardless of whether the firearms were used or their use was threatened in a domestic violence incident. Risk assessment and risk management should equally address the risks of firearms in both legal and illegal possession. This would require amendments to the relevant bylaws (The Ministry of Labour and Social Policy, the Rulebook on the Manner for Implementing Protective Measures Undertaken by the Centre for Social Work and for the Manner of Following upon Issued Temporary Protection Orders (Official Gazette 17/2015); and the Ministry of the Interior, the Rulebook on the Method of Risk Assessment to the Life and Physical Integrity of the Domestic Violence Victim and the Risk of the Recurrence of Violence, Proper Risk Management, the Form of the Police Report and the Proposal for Imposing the Temporary Protective Measures of the Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home (Official Gazette 28/2015)). In doing so, it is recommended that the following publication be referenced: *A Guide to Risk Assessment and Risk Management of Intimate Partner Violence against Women for Police*, developed by the European Institute for Gender Equality.

- The development and adoption of a comprehensive Guide on the Law on Weapons should be considered.⁷⁴

RESPONSE TO GENDERED ASPECTS OF FIREARM DEMAND, USE, AND MISUSE

- Security vetting procedures in Article 12 of the Law on Weapons should also establish tools for the assessment of the risks of firearms being used in the context of suicide.⁷⁵
- Strategic synergies should be enhanced to maximize the effects of the proposed actions in preventing and addressing firearm demand, use, and misuse between the Small Arms and Light Weapons Control Strategy and 2017 – 2021 Action Plan and other relevant strategies, including the preparation of financial plans and the securing of the required resources for the implementation of the envisioned policy measures.
- The National Youth Strategy 2016-2025 should consider the underlying factors arising from the intersection of gender and age resulting in the predominance of young men among license applicants and gun owners, including their dominant presence among those who would own a gun, and should provide appropriate measures based on this situation.
- Gender-sensitive methodologies should be developed for the monitoring and evaluation of SALW control legislation and policies.

GENDER-SENSITIVE RECORD KEEPING PRACTICES

- The Law on Weapons (consolidated version 97/2018), in Article 75 and the Rulebook on Firearms and Ammunition Forms and the Manner of Keeping Firearms and Ammunition Records (consolidated 35/2014), from Article 25, should be amended to ensure that all data are sex and age disaggregated.
- Procedures for keeping records on seized and returned firearms should be established.
- Procedures should be established to improve the exchange of data between responsible state institutions which play crucial roles in preventing and combating domestic violence, especially between the Centre for Social Work and the police.
- It should be ensured that record-keeping on domestic violence includes data on firearms, both legal and illegal, such as data on the presence of firearms, their use, type, etc., through the amendment of existing bylaws.

^{74]} The Guide on Firearms Licensing Law developed in United Kingdom provides consolidated guidance on firearms licensing legislation for anyone who is involved in firearms licensing or who has an interest in firearms. The guide pays particular attention to domestic violence (page 100). More information at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/518193/Guidance_on_Firearms_Licensing_Law_April_2016_v20.pdf.

^{75]} For instance, the American Foundation for Suicide Prevention provides practical advice on how to prevent firearm suicides - from practicing safe storage and the temporary removal of access to firearms when someone is at risk to learning about common risk factors and warning signs for suicide. More information at: <https://afsp.org/an-introduction-to-firearms-and-suicide-prevention>.

REFERENCE LIST

INTERNATIONAL DOCUMENTS

UN, The Arms Trade Treaty

How to use the Arms Trade Treaty to Address Gender-Based Violence. Control Arms Practical Guide. A Practical Guide for Risk Assessment. August 2018 EU Common Position on Arms Export 2008/944/CFSP

STRATEGIES

Control of Small Arms and Light Weapons Strategy and the 2017 – 2021 Action Plan

National Youth Strategy 2016-2025

Action Plan for the Implementation of the Convention for the Prevention of and Fight against Domestic Violence against Women 2018-2023

Second National Action Plan of the Republic of North Macedonia for the Implementation of UN Security Council Resolution 1325 – Women, Peace and Security 2020-2025, Strategic Framework

National Action Plan for Gender Equality 2018-2020

National Strategy for Improving Mental Health in the Republic of North Macedonia with an Action Plan (September 2018-2025)

LAWS

Law on Weapons (consolidated version 97/2018)

Law on Equal Opportunities of Women and Men (consolidated version 150/2015)

Law on State Statistics (consolidated version 31/2020)

Law on the Production and Trade of Arms and Military Equipment (consolidated version 64/2018)

Law on the National Security Agency (Official Gazette 108/2019)

Law on Misdemeanours against Public Order (consolidated version with 152/2015)

Law on Hunting (consolidated version 83/2018)

The Criminal Code (consolidated version 248/2018)

Law on Police (consolidated version 64/2018)

Law on the Intelligence Agency (consolidated 162/2015)

Law on Military Service (consolidated version 14/2020)

Law on Defence (consolidated version 42/2020)

Law on the Execution of Sanctions (consolidated version 220/2019)

Law on the Customs Administration (consolidated version 248/2018)

Law on the Judicial Service (consolidated version 248/2018)

Law on Financial Police (consolidated version 198/2018)

Law on Private Security (consolidated 55/2016)

Law on Detective Activity (consolidated 212/2016)

Law on Internal Affairs (consolidated version 275/2019)

Law on Social Protection (consolidated version 275/2019)

Law on the Prevention and Suppression of and Protection from Domestic Violence (consolidated version 150/2015)

BYLAWS, DECISIONS, ETC.

Rulebook on Weapons and Ammunition forms and the Manner of Keeping of Weapons and Ammunition Records (consolidated 35/2014)

The Court Rules of Procedure (Official Gazette 66/2013)

Rules of Procedure for Amending and Supplementing the Court Rules of Procedure (Official Gazette 114/2014)

Ministry of the Interior, Rulebook on the Manner of Keeping, Editing, and Maintaining Criminal Records (Official Gazette 111/2004)

Ministry of the Interior, Rulebook on the Form and Content of the Security Questionnaire for Conducting a Security Check on a Person Establishing Employment in the Ministry of the Interior (Official Gazette 3/2015)

Ministry of Health, Decision for the Determination of Health Institutions for the Physical Examination of an Individual's Fitness for Possessing and Carrying Firearms (Official Gazette 83/2007)

Ministry of the Interior, Rulebook on the Type and Manner of Performing the Medical Examination to Determine the Health Condition for Possessing and Carrying Firearms, the List of Diseases and Health Conditions that Make a Person Incapable of Possessing and Carrying Firearms, and the Manner and Procedure of Issuing Medical Certificates (Official Gazette 98/2005)

Government of the Republic of North Macedonia, Regulation on the Use and Means of Force as well as Carrying and Using Firearms by Financial Police Officers (Official Gazette 137/2014)

Government of Republic of North Macedonia, Regulation on the Use of Force as well as Carrying and Using Firearms by Customs Officers (Official Gazette 21/2005)

Government of Republic of North Macedonia, Regulation on the use of Firearms, Rubber Bullets, and other Means of Force by Members of the Judicial Police (Official Gazette 5/2013)

Republic Secretariat of the Judiciary, Guidelines for the Use of Firearms and other Means of Force by Personnel of the Penitentiaries and Correctional Facilities (Official Gazette 3/1981)

Ministry of Justice, Rulebook on the Arming and the Manner of Performance of the Duties of the Security Sector in Penitentiaries and Correctional Facilities (Official Gazette 118/2008)

Ministry of Agriculture, Forestry, and Water Management, Rulebook on the Official Uniform, Identity, Type of Official Weapons Carried by Members of the Forestry Service, and the Manner of Using Official Weapons (Official Gazette 112/2015)

Ministry of Agriculture, Forestry, and Water management, Rulebook on the Uniform and Type of Weapons Carried by members of the Forest Police (Official Gazette 57/2019)

Ministry of the Interior, Instructions on the Method of the Application of the Means of Force (Official Gazette 86/2013)

Ministry of Labour and Social Policy, Rulebook on the Manner of Implementing Protective Measures Undertaken by the Centre for Social Work and on the Manner of Following up on Issued Temporary Protection Orders (Official Gazette 17/2015)

Ministry of the Interior, Rulebook on the Method of Risk Assessment upon the Life and Physical Integrity of the Victim of Domestic Violence and the Risk of the Repetition of Violence, Proper Risk Management, the Form of the Police Report, and the Proposal for Imposing a Temporary Protective Measure – the Removal of the Perpetrator from the Home and the Prohibition of Approaching the Home (Official Gazette 28/2015)

Ministry of Interior, Rulebook on the Manner of Execution of the Issued Temporary Protection Orders for Victims of Domestic Violence and Members of their Family (Official Gazette 28/2015)

Ministry of Labour and Social Policy, Protocol for the Cooperation of the Competent institutions and Associations for the Protection and Prevention of DV (Official Gazette 143/2015)

Ministry of the Interior, Rulebook on the Content and Manner of Keeping Police Records and the Form and Content of Police Records (Official Gazette 160/2013; 56/2014; and 130/2019)

Decision on Establishing a National Commission for Light and Small Weapons (Official Gazette 177/2019)

OTHER REFERENCE MATERIALS USED

Training Manual on Gender-Mainstreaming Small Arms Control, 2020 (unpublished); Lebrun (ed.). 2019. Gender-responsive Small Arms Control: A Practical Guide. Geneva: Small Arms Survey, p. 24. SEESAC, Republic of North Macedonia, Small Arms and Light Weapons Survey 2012-2016 https://www.seesac.org/f/docs/SALW-Surveys/web_N.Macedonia_SALW-Survey_ENG.pdf

Gender Responsive Small Arms Control in the Decade of Action for the SDGs, The Pathfinders for Peaceful, Just and Inclusive Societies, February 2020

Report of the Third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, A/CONF.192/2018/RC/3

Regional Narrative Progress Report on the Implementation of the Roadmap for a Sustainable Solution to the Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons (SALW) and their Ammunition in the Western Balkans by 2024, Progress Information on the Roadmap Goals Overall Targets: 1 January – 30 June 2020, SEESAC



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