



**MANUAL FOR
PROTECTION FROM
GENDER-BASED VIOLENCE
AGAINST TRANS PEOPLE IN
NORTH MACEDONIA**

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INTRODUCTION

This manual aims to inform trans people regarding their rights and options for protection from gender-based violence (GBV).

Gender-based violence is any physical, psychological, sexual or economic violence directed against a person because of their gender, gender identity or gender expression. Trans people are often exposed to various forms of violence – from domestic violence and public harassment, to violence and discrimination in institutions and healthcare facilities. Therefore, it is important to know that the state has an obligation to protect you, and you have the right to dignified treatment and legal protection in a proceeding prescribed by law.

KEY DOCUMENTS AT NATIONAL LEVEL

Constitution of the Republic of North Macedonia

It guarantees equality and prohibits discrimination for all citizens.

Law on Prevention and Protection from Violence against Women and Domestic Violence (2021)

It recognizes gender identity as a basis for violence and obliges institutions to provide protection for all individuals exposed to gender-based violence, regardless of sex, gender, sexual orientation or gender identity.

Law on Prevention and Protection from Discrimination (2020)

It clearly includes gender identity and sexual orientation as protected grounds. Discrimination is prohibited in all areas – employment, health, education, social protection, media and access to services.

Criminal Code

It sanctions physical violence, threats, stalking, sexual harassment and rape. When the crime is committed because of gender identity, it can be considered a hate crime and be punished more severely.

GENDER-BASED VIOLENCE MANIFESTS ITSELF IN VARIOUS FORMS

PHYSICAL VIOLENCE

- ❗ Hitting, pushing, spitting or throwing objects at a trans person because of gender identity.
- ❗ Domestic violence – for example, parents and/or siblings physically punishing a person for gender expression other than the one assigned at birth.
- ❗ Attacks in public places (street, public transport, catering facilities) accompanied by insults due to gender identity.
- ❗ Forced shaving, cutting, or changing clothes by family members or institutions.
- ❗ Physical attack or threats when trying to use a restroom appropriate to gender identity.

PSYCHOLOGICAL AND EMOTIONAL VIOLENCE

- ❖ Constantly insulting, mocking or using derogatory names and words.
- ❖ Refusal to use the chosen name or gender.
- ❖ Isolation from family or friends – prohibition on going out or communicating with people who support you.
- ❖ Forcing a “reversion” to the gender that corresponds to the sex assigned at birth.
- ❖ Institutional harassment – officials who intentionally challenge trans identity (for example, police officers who refuse to record the chosen name in the application/statement).

SEXUAL VIOLENCE AND HARASSMENT

- ❖ Inappropriate touching, comments about the body or sexuality.
- ❖ Attempts to “prove” gender through sexual assault.
- ❖ Refusal to use the appropriate gender in healthcare facilities and unauthorized disclosure of bodily features in front of other patients.
- ❖ Forced sexual intercourse in exchange for favors, money, or protection.
- ❖ Sexual harassment in the workplace – colleagues and/or superiors making inappropriate comments or jokes.

ECONOMIC VIOLENCE

- ❗ Refusal of financial support from family when a person declares themselves as trans.
- ❗ Dismissal or refusal to accept a job because of appearance, name, or gender expression.
- ❗ An employer who prohibits wearing of clothing that identifies the person.
- ❗ Being forced to give up property or housing due to “shame” or pressure from relatives.
- ❗ Being denied a lease or rental because you are a trans person.

INSTITUTIONAL AND STRUCTURAL VIOLENCE AND DISCRIMINATION

- ❗ Police officers refuse to accept reports of violence because they believe trans people “asked for it themselves.”
- ❗ Medical staff refuse to provide a service, make comments about body/appearance, or violate/disclose personal information.
- ❗ Judges, social workers or teachers who do not recognize a person’s gender identity.
- ❗ Failure to participate in violence protection programs or placement in inappropriate shelter.
- ❗ Inaccessibility to documents reflecting an individual’s gender identity due to administrative barriers.
- ❗ Lack of access to appropriate health care and hormone therapy in the public system.

❗ Invisibility of trans people in policies, programs, and statistics on gender-based violence.

❗ Lack of training for officials to treat trans people with respect.

ONLINE VIOLENCE

❗ Publishing photos or personal data to reveal gender identity (so-called outing) without permission.

❗ Distribution of intimate photos without consent (revenge porn) with the aim of humiliating and hurting the trans person.

❗ Offensive or threatening messages on social networks directed at the trans person.

❗ Comments and hate campaigns directed at the trans community.

❗ Creating fake profiles with the aim of mocking or humiliating the trans person.

STEPS FOR REPORTING VIOLENCE

- **Police**

- In case of immediate danger, report immediately to 192 or to the nearest police station.
- Say that you are a victim of gender-based violence and that you need protection.
- You have the right to be treated with respect, without offensive questions or comments about your gender identity.
- The police are obliged to make a report, collect all necessary information/evidence and notify the public prosecutor and the center for social work, respectively.

- **Public Prosecutor's Office**

- The prosecution initiates criminal proceedings based on information received from the police, if there are elements of a crime (physical violence, threats, rape, harassment, etc.).
- You can file a written or oral complaint directly at the prosecutor's office.
- If the police do not react or treat you discriminatorily, you can report it directly's office.

- **The court in a criminal proceeding**

- Based on an indictment/proposal by the public prosecutor's office, it conducts criminal proceedings against the perpetrator of violence.
- It enables you as a victim to participate in the proceedings, to propose evidence.
- It punishes the perpetrator with a penalty prescribed by law.
- Based on your request, it awards you compensation for damage suffered as a victim of a crime.

- **The court in a civil proceeding**

- Orders temporary and urgent measures for protection from domestic violence, harassment and stalking (e.g., a restraining order against the perpetrator, a restraining order against the perpetrator, eviction of the perpetrator from the home).
- You can submit a proposal for the issuance of a temporary measure of protection through a social work center, through a lawyer, an organization or independently.

- **Social Work Center**

- The center provides social and psychological support, as well as accommodation in a safe shelter if there is a threat to your safety.
- You can make the application in person, by phone or through a civil society organization.

Support and available services

Service / Organization:	Contact:	Type of support:
TransFormA	https://transforma.mk/ transformamk@gmail.com	Support and advocacy for the trans community
Coalition Margins	02/3290-396, koalicijaszpmz@gmail.	Legal and psychological support for LGBTI people
H.E.R.A. – Health Education and Research Association	02/3176-950	Psychosocial support, health services, counseling

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