



ANALYSIS OF TECHNOLOGY- FACILITATED GENDER-BASED VIOLENCE



This publication was produced with the generous support of the Government of the Republic of Korea to UNDP through the “Combating Sexual and Gender-Based Violence in the Digital Sphere” Project. The Project is implemented by the UNDP Office in Skopje in cooperation with the UNDP Seoul Policy Center, as part of the SDG Partnerships Programme.

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United Nations Development Programme (UNDP)

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1. INTRODUCTION

Technology-facilitated gender-based violence perpetrated in the digital sphere¹ has a serious impact on the lives of women and girls, including their psychological and physical health, livelihood, physical safety, and reputation. Technology-facilitated violence, including sexual violence, is not always gender-based, but the statistics of the reported cases and the experiences of persons who have suffered from any form of technology-facilitated violence show that women and girls are disproportionately affected. Therefore, the need for protection and legal reforms that specifically address technology-facilitated gender-based violence (in the following text, technology-facilitated GBV), including sexual violence, is recognized at the international and national level and is the primary focus of this analysis.

Particular emphasis is placed on the legitimacy and necessity of criminal law responses to technology-facilitated GBV at the international level. In 2018, the United Na-

tions Special Rapporteur on Violence against Women noted that criminalization is necessary so that victims can “protect their human rights to privacy and dignity”². The United Nations Special Rapporteur on Violence against Women further stressed that “States should adopt, or adapt (as appropriate) their criminal and civil causes of action to hold perpetrators liable” and, in particular, “clearly prohibit and criminalize online violence against women, in particular, the non-consensual distribution of intimate images, online harassment and stalking”.

Considering the negative global impact of technology-facilitated GBV, the UNDP Seoul Policy Centre’s SDG Partnership Programme convenes global and bilateral policy discussions, producing knowledge products to share technical expertise on combating technology-facilitated GBV, including sexual violence, while also providing seed funding and technical support to select UNDP Country Offices and their partners. The UNDP Country Office in North Macedonia is one of the offices included in this programme that should contribute to the enhancement of prevention and protection capacities against technology-facilitated GBV. The initiative is financially supported by the Ministry of Foreign Affairs of the Republic of Korea, with the Korean National Police Agency (KNPA) as the main technical partner and the Ministry of Interior in North Macedonia as the main project beneficiary. The objective of the project is to strengthen multi-sectoral cooperation within the Ministry of Interior, with the aim of preventing and combating digital sexual exploitation and abuse. The project is designed

1 There are several definitions given by different international organisations for gender-based violence, but there is also a lack of a general or common definition used at the international level. [Mapping the lack of a common definition for digital gender-based violence, UN Women, as part of its Joint Programme with WHO on VAW Data, convened an expert group that adopted the following definition:](#)

Technology-facilitated violence against women (TF VAW) is any act that is committed, assisted, aggravated, or amplified by the use of information communication technologies or other digital tools that results in or is likely to result in physical, sexual, psychological, social, political, or economic harm, or other infringements of rights and freedoms. The group also notes that violence against women can be substituted with gender-based violence (TF GBV), whilst maintaining the common definition describing the phenomenon. This definition will also be used for the purposes of this report.

2 The Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective can be found at the following link:

<https://www.ohchr.org/en/documents/thematic-reports/ahrc3847-report-special-rapporteur-violence-against-women-its-causes-and>

around the idea of determining priorities for further intervention and prevention of digital sex crimes and other forms of technology-facilitated GBV.

One of the main activities of the project is to analyze the national legislation on technology-facilitated GBV, which includes a needs assessment and a gap analysis of the current legislation, guidance documents and standard operating procedures (SOPs) related to technology-facilitated GBV. Another aspect of the analysis is the harmonization of the national legislation with the international legal framework, especially the Istanbul Convention and the guidelines from the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO).

Overall, the analysis provides an overview of the current legislation, as well as the overall situation regarding the protection against technology-facilitated GBV in North Macedonia, and offers recommendations that could serve as a solid foundation for future evidence-based sustainable interventions in line with the UNDP Programme in North Macedonia.

Another aspect of the analysis, which is also emphasized by international treaties, is ensuring greater cooperation between law enforcement agents and service providers in the process of identifying perpetrators within the context of fundamental rights and data protection laws, as well as the efficiency of law enforcement and the judicial system in protecting victims of technology-facilitated GBV. Therefore, the analysis measures the efficiency of existing mechanisms to address technology facilitated gender-based violence. On the other side, the analysis includes a needs assessment of the capacities of public officials in terms of understanding and acting in cases of technology-facilitated GBV.

The analysis further includes the views and needs of the victims, where possible, especially from an intersectional perspective. This means that the analysis covers the experiences of different groups of women and girls with various characteristics, as technology-facilitated GBV may affect some women to varying degrees or in different ways. The experiences of women and girls who have suffered any form of technology-facilitated GBV were gathered from online surveys, focus group discussions and other available analyses conducted by different national and international organizations.

This analysis aims to address all necessary questions and explore possible areas where recommendations for improving the prevention and protection against technology-facilitated GBV can be made.





2.

METHODOLOGY

Gender equality is fundamentally taken into consideration in the analysis. The existing obligations of the country, pursuant to ratified international treaties and the national legal framework that impose horizontal obligations on the state - such as the principles of the Convention on the Elimination of All Forms of Discrimination Against Women, the Istanbul Convention, the General Recommendations by human rights treaty bodies, as well as the affirmative actions and the public sector equality duty established in the Law on Prevention and Protection against Discrimination - were mainstreamed into the data collection tools.

The analysis was developed through a transparent, participatory, and inclusive process. The findings and recommendations from the analysis were followed up with the UNDP team, the Ministry of Interior, as the main partner of the project, and civil society organisations.

The analysis was conducted by a national consultant – a legal and gender equality expert, who was guided and supported by the UNDP Country Office national team in North Macedonia.

The methodological techniques used provide both quantitative and qualitative data, which contribute to solving the issues under consideration:

1. Desk research

- Analysis of the international and European Union legal framework
- Analysis of the national law and policy framework
- Analysis of the available data and reports from civil society organisations, including shadow reports submitted to international bodies that contain findings and recommendations in the area of technology-facilitated GBV.

2. Interviews

Interviews, as a methodological tool, were used to gather information, opinions, and recommendations on the current situation regarding legislation and the need for changes, the existing gap in implementation, and the need to strengthen the system for supporting women and girls facing technology-facilitated GBV further.

The interviews were conducted with 9 representatives - 7 women and 2 men - from the following institutions:

1. Ministry of Interior - 5 interviews were conducted with representatives from the Ministry of Interior: 1 from the Sector for Cybercrime and Digital Forensics, 2 from the Sector for Internal Affairs in Skopje - Economic and Computer Crime Unit, 1 from the Bureau for Public Security and 1 from the Investigative Centre, part of the Public Prosecutor's Office in Skopje
2. Public Prosecutor's Office in Skopje - 1 interview
3. Ministry of Labour and Social Policy - 1 interview

4. Court of Appeal in Skopje – 1 interview
5. Ministry of Justice – 1 interview

3. Online survey on the experiences of different groups of people related to technology-facilitated GBV, especially women and girls

The survey was conducted using an online questionnaire which served as a tool for collecting data and for a more detailed review of the experiences of women and girls in the digital space. The methodology of this approach was to collect data on the forms of violence different social groups have experienced and the possible differences in the experiences related to the actions taken by the institutions for protection against technology-facilitated GBV. The online questionnaire was initially tested by two young women and one young man from different ethnic communities to obtain initial feedback on its comprehensibility and length. After the testing phase, the questionnaire was finalized by the expert, based on their experience and the comments received.

4. Focus groups

Two focus groups were conducted with 10 representatives - 9 women and 1 man - from the following civil society organisations that work with gender-based violence at the national and/or local level: La Strada - Open Gate, SOS Children's Villages, Megjashi, EcHO Shtip, ESE Skopje, Helsinki Committee for Human Rights, STAR STAR, Transforma, HOPS Skopje, Equalis, and the Center for Equal Opportunities Mollëkuqja. Additionally, two other organisations that were not able to participate in the focus groups answered the questions from the focus groups: the Council for Gender Equality and the National Network against Violence against Women and Domestic Violence.

The focus groups contributed to developing recommendations for improving the legal framework and work practices of national institutions for prevention and protection against technology-facilitated GBV, and their readiness to respond to the needs of victims of technology-facilitated GBV, including marginalized groups of women³. The wide consultation process with the civil society sector ensured a participatory approach in preparing the analysis and the recommendations, as well as integrating the concept of intersectionality and addressing the needs of different groups of women.

³ The term women also includes girls under 18 years of age wherever the term *girls* is not specifically mentioned in the analysis.





3.

INTERNATIONAL LEGAL AND POLICY FRAMEWORK OVERVIEW

This section of the analysis provides an in-depth overview of the international legal framework and relevant international legal standards that address gender-based violence and are applicable to technology-facilitated GBV, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), CEDAW recommendations, reports from the UN Special Rapporteur on Violence against Women, the Istanbul Convention, reports from North Macedonia to GREVIO, GREVIO recommendations, the Convention on Cybercrime of the Council of Europe - Budapest Convention, Recommendation CM/Rec(2019) of the Committee of Ministers on preventing and combating sexism, Recommendation CM/Rec(2018) on the roles and responsibilities of internet intermediaries, and the EU Directive on combating violence against women and domestic violence.

The executive summary of the analysis depicts only the segments of the international documents that refer to the definition, scope and forms of technology-facilitated GBV and the obligations of the state arising from the ratification of these documents for preven-

tion and protection against technology-facilitated GBV⁴.

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

In 2017, CEDAW adopted **General Recommendation No.35**, which is characterized by an intersectional approach to violence against women. One of its most significant contributions is the fact that it makes the CEDAW Convention fully applicable to technology-mediated environments. Thus, Recommendation 35 fully recognizes that violence occurs in all spheres of human interaction, thus stating that *“contemporary forms of violence occur online and in other digital environments”*.⁵

UNITED NATIONS SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN

In the **Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective**⁶, the Special Rapporteur addresses new

⁴ If this executive summary has sparked your interest and you wish to access the full publication, please send an email to: registry.mk@undp.org or follow this link for access to the full study.

⁵ UN Committee on the Elimination of Discrimination Against Women (CEDAW), CEDAW General Recommendation No. 35 on gender-based violence against women, available at: tbineternet.ohchr.org/_layouts/15/TreatyBodyExternal/Download.aspx?symbolno=CEDAW/C/GC/35&Lang=en

⁶ Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective, 2018, available at: <https://www.ohchr.org/en/documents/thematic-reports/ahrc3847-report-special-rapporteur-violence-against-women-its-causes-and>

challenges posed by online violence against women, including prevention, protection, prosecution and redress for such acts.

The somewhat generally accepted **definition by United Nations (UN) bodies and agencies of online gender-based violence**, as defined by the UN Rapporteur on Human Rights back in 2018, is

“any act of gender-based violence against women that is committed, assisted, or aggravated in part or fully by the use of ICT, such as mobile phones and smartphones, the Internet, social media platforms or email, against a woman because she is a woman, or affects women disproportionately⁷.”

At the outset, it is important to note that the UN Special Rapporteur on Violence against Women does not aim to define and catalog all forms of online violence against women and girls. The rapid development of digital technology and spaces, including through artificial intelligence (AI), will inevitably give rise to various new manifestations of online violence against women. Therefore, she aims to address some major concerns and highlight some of the contemporary online forms of violence against women and girls that have been brought to her attention.

The UN Special Rapporteur on Violence against Women has provided comprehensive recommendations to the member states aimed at addressing technology-facilitated GBV in her report⁸. These recommendations, which range from recognizing online violence as a human rights violation to promoting education and technology development, offer a holistic approach to combating this pervasive issue.

COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE – ISTANBUL CONVENTION AND GREVIO GENERAL RECOMMENDATION NO. 1 ON THE DIGITAL DIMENSION OF VIOLENCE AGAINST WOMEN.

The GREVIO General Recommendation No. 1 introduced the term “digital dimension of violence against women,” encompassing online acts of violence such as sharing degrading images, issuing threats of death and rape, and utilizing evolving technologies, including those reported by cybersecurity firms. It also stresses the importance of providing training on digital forms of violence against women to various stakeholders, including law enforcement agents, criminal justice professionals, members of the judiciary, and healthcare staff. These efforts aim to address the digital dimension of violence against women in a comprehensive manner, ensuring a safer environment both online and offline.

States Parties are obliged to criminalize intentional digital violence, ensuring comprehensive measures in their efforts to combat gender-based violence against women. Furthermore, numerous types of violence against women perpetrated via digital methods fall under intentional conduct, a category that States Parties to the Istanbul Convention must criminalize. This includes online psychological violence (as per Article 33), digital stalking (as outlined in Article 34), and sexual harassment occurring online or through digital means (as defined in Article 40).

It is very important that the Recommendation defines and addresses online sexual harassment. The Recommendation considers the following behaviour expressed online or through digital means to come under this definition: 1) non-consensual image or video

⁷ Ibid

⁸ Ibid

sharing; 2) non-consensual taking, producing, or procuring of intimate images or videos; 3) exploitation, coercion and threats; 4) sexualised bullying; and 5) cyberflashing.

GREVIO also presents essential measures regarding the prosecution of gender-based violence against women in the digital realm:

- **Resource Allocation:** States should equip law enforcement and criminal justice entities with the necessary human, financial, and technical resources.
- **Capacity Building:** Training initiatives for law enforcement professionals should be intensified. Developing forensic capabilities for gathering electronic evidence without retraumatizing victims is crucial.
- **Transparency and Reporting:** The criminal justice sector should publish incident reports on digital violence against women.
- **Victim Access:** Ensuring effective access to criminal justice systems for victims of digital violence is essential. Authorities should respond promptly by applying criminal law as appropriate and initiating ex officio prosecution.
- **Protective Orders:** Emergency barring orders and protection orders should address online and ICT-facilitated domestic violence and other digital forms of violence against women.
- **Ending Impunity:** States should combat impunity for digital acts of violence against women.

Furthermore, in the General Recommendation, GREVIO proposes **key protective actions** for victims of technology-facilitated GBV, including accessible information about legal options and support services for victims of

technology-facilitated GBV, easily accessible complaint mechanisms within law enforcement and prosecution services, both online and offline, especially for victims with disabilities. Additionally, support services - including legal and psychological counselling - must be available to victims of technology-facilitated GBV, with adequate resources provided to existing women's support services. General and specialist support service providers should be trained and resourced to recognize and respond effectively to cases of technology-facilitated GBV. National help-lines should be equipped to handle cases of technology-facilitated GBV and be accessible to all victims.

■ EUROPEAN UNION (EU) FRAMEWORK

In 2024, the European Commission adopted a Directive on combating violence against women and domestic violence⁹. The Directive uses the term *cyber violence* and does not provide a comprehensive definition, but rather focuses on the definitions of the different forms of cyber violence, including cyber stalking, cyber harassment, non-consensual sharing of intimate images and cyber incitement to violence or hatred. The Directive also proposes extensive measures for the protection and support of victims of GBV, including the possibility for victims to submit complaints online or through other accessible and secure information and communication technologies, at least with regard to the cybercrimes of non-consensual sharing of intimate or manipulated material, cyber stalking, cyber harassment and cyber incitement to violence or hatred.

Furthermore, the European Commission's Advisory Committee on Equal Opportunities for Women and Men recommends using the term *cyber violence against women*, defined as an

9 The whole text of the Directive is available at the following link: [pdf \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32024D0001&from=de)

act of gender-based violence perpetrated directly or indirectly through information and communication technologies that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women and girls, including threats of such acts, whether occurring in public or private life, or hindrances to the use of their fundamental rights and freedoms. Cyber violence against women is not limited to but includes violations of privacy, stalking, harassment, gender-based hate speech, personal content sharing without consent, image-based sexual abuse, hacking, identity theft, and direct violence. Cyber violence is part of the continuum of violence against women: it does not exist in a vacuum; rather, it both stems from and sustains multiple forms of offline violence¹⁰.

Regarding other EU legal documents currently in force, several EU directives and regulations are directly or indirectly applicable to forms of technology-facilitated GBV, such as the Victims' Rights Directive (Directive 2012/29/EU), the Directive on combating the sexual abuse and sexual exploitation of children (Directive 2011/93/EU), the General Data Protection Regulation (Regulation (EU) 2016/679), the Audiovisual Media Services Directive (Directive 2010/13/EU) and the Directive on preventing and combating trafficking in human beings and protecting its victims (Directive 2011/36/EU).

¹⁰ The Opinion on combating online violence against women from the EU Advisory Committee on Equal Opportunities for Men and Women is available at the following link: [eae53eb9-ca88-4fc0-8a6e-51e771c96f68_en](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62016DC0200) (europa.eu)





4.

NATIONAL LEGAL AND POLICY FRAMEWORK OVERVIEW

This section of the analysis provides an in-depth overview of the national legal and policy framework related to gender-based violence and the extent to which it is applicable and includes digital gender-based violence. Therefore, this section contains an analysis of the Criminal Code, the Law on Criminal Procedure, the Law on Personal Data Protection, the Law on Prevention and Protection against Violence against Women and Domestic Violence, the Law on Prevention and Protection against Discrimination, the Law on Free Legal Aid, the Protocol for mutual cooperation of competent entities for taking measures for prevention and protection against violence against women and domestic violence, and the National Strategy on Gender Equality. Furthermore, this section includes an analysis of available data and reports from civil society organisations, including shadow reports submitted to international bodies that include findings and recommendations on technology-facilitated GBV.

The executive summary of the analysis depicts only the most important segments of the national framework and the extent to which the state has implemented the obligations arising from the ratification of international documents for prevention and protection against technology-facilitated GBV.

Criminal Code of the Republic of North Macedonia

The definition of gender-based violence in the Criminal Code recognises physical, psychological and economic gender-based violence **but does not specifically mention technology-facilitated GBV as a distinct form of gender-based violence.**

The Criminal Code includes several criminal offenses that include or are applicable to technology-facilitated GBV, with the most important being listed below:

6. **Article 144** regulates the criminal offense of **Threatening the Safety**, whereby paragraph 5 states that whoever **[] through an information system threatens to commit a criminal offense** for which imprisonment of five years or a more severe punishment is prescribed, against a person due to **their gender**, shall be punished with imprisonment from one to five years.
7. **Article 144-a** defines the criminal offense of **Stalking**, which among other ways, can be committed by misuse of personal data, by **using means of public information or other communication means, or through other types of psychological abuse, harassment or intimidation**, thereby causing a sense of uncertainty, anxiety or fear for their safety or the safety of a person close to them, shall be punished with a fine or with imprisonment of up to three years.
8. **Article 190-a** regulates the criminal offense of **Sexual Harassment and prohibits its online sexual harassment.**
9. **Article 193** criminalizes the act of **Displaying Pornographic Material to a Child** and paragraph two stipulates that if the act is committed through means of public information, the perpetrator shall be punished with imprisonment from three to five years

- 10. Article 193-a regulates the crime of Production and Distribution of Materials Depicting Sexual Abuse of Children and paragraph three states that if the act referred to in paragraphs (1) and (2) of this Article is committed through an information system or other mass communication means, the perpetrator shall be punished with imprisonment of at least eight years.**

However, other criminal offenses in the Criminal Code should further **specify if they also regulate violations of those rights in the digital sphere, especially the criminal offenses of Misuse of Personal Data, Unauthorized Recording, Intermediation in Performing Prostitution, Gratifying Sexual Urges in Front of Another, Racial and Other Discrimination.**

LAW ON PREVENTION AND PROTECTION AGAINST VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

This Law contains definitions of various forms of gender-based violence, including **online sexual harassment¹¹, defining it as any form of verbal, non-verbal or physical act of a sexual nature with the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, humiliating or offensive environment, approach or practice, through electronic means of communication. It is crucial for the Law to be enhanced further with a more comprehensive definition of technology-facilitated GBV and the specific forms it may take.**

The Law also provides for protective measures against gender-based violence. These measures can be grouped into three main categories: Measures for Protection against

Revictimization, Emergency and Temporary Protection Measures and Judicial Protection. Although the Law prescribes a multi-sectoral approach for these protective measures, listing all specific measures and relevant stakeholders for their implementation, the impression is that these measures only refer to protection against physical and psychological violence, and do not adequately cover protection against technology-facilitated GBV. **The Law lacks specific protective measures tailored to technology-facilitated GBV.**

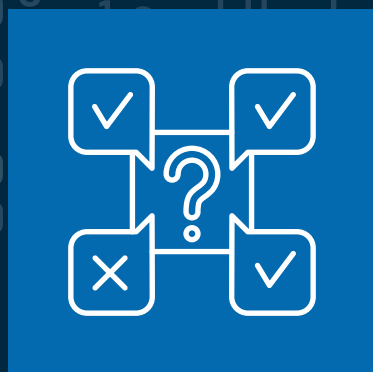
The Law also provides for general and specific services for victims of gender-based violence¹². In terms of general services, the Law focuses on healthcare and social services for all victims of gender-based violence. Specific services for victims of gender-based violence, on the other hand, are designed to meet the unique needs of victims of different forms of gender-based violence¹³. **The Law lacks specific services for the victims of technology-facilitated GBV.**

¹¹ Law on Prevention and Protection against Violence against Women and Domestic Violence, Article 3, paragraph 20

¹² Law on Prevention and Protection against Violence against Women and Domestic Violence, Article 88

¹³ Law on Prevention and Protection against Violence against Women and Domestic Violence, Article 89





5. FINDINGS FROM ONLINE SURVEYS

As previously mentioned, the methodology for gathering data included an online survey conducted using an online questionnaire designed to collect data and provide a more detailed review of the experiences of different social groups in the digital space. The survey was open to everyone who uses Facebook and Instagram and was answered by 311 people: 95% of whom were women, 4% men and 1% transgender people. The gender breakdown of the respondents shows that women are disproportionally affected by this issue and are more inclined to share their experiences. Regarding the age of the respondents, 55% were aged between 31 and 45, 40% were aged between 18 and 30, 3% were aged between 16 and 18 and 2% were 46+ years of age. Of the total number of respondents, 186 people, or 60%, reported that they have faced one or more types of technology-facilitated GBV¹⁴, out of whom 96% were women, 3% men and 1% transgender people¹⁵. The male respondents who reported

having experienced technology-facilitated GBV were young people aged between 18-30, with mostly non-heterosexual orientation or perceived as such. Regarding the age of the respondents who experienced violence, 55% were aged between 31 and 45, 41% were aged between 18 and 30, 4% were aged between 16 and 18. Other analyses show that younger women and girls are more exposed to technology-facilitated GBV compared to other age groups of women; however, this is not particularly evident in this survey¹⁶. One reason for these results is the fact that the survey was not conducted on a representative sample and another reason is that many of the respondents completed the questionnaire through Facebook, a platform predominantly used by people aged between 31 and 45.

The questionnaire included a multiple-choice question about the type of violence the victims have faced, whereby the most common response was Online harassment, or 61%, followed by Gender-based and sexist hate speech, or 37.30%, Online stalking, or 33%,

report "The Dark Side of Digitalization: Technology-Facilitated Violence Against Women in Eastern Europe and Central Asia". The report includes a web-based survey with a sample of over 1000 women, based on the population of women present online, who on average are younger, more urban, and have higher education. The full report is available at the following link: [research-tf-vaw_full-report_24-january2.pdf](#)

14 In order to ensure better understanding, the questionnaire included the following definition: Digital gender-based violence is the use of computer systems, mobile phones or other electronic devices to cause, facilitate or threaten violence against individuals, especially women and girls, that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering and may include the exploitation of the individual's circumstances, characteristics or vulnerabilities.

15 The percentage of women and girls who reported experiencing any form of technology-facilitated GBV is slightly lower, but close to the 62.8% prevalence reported in the UN Women

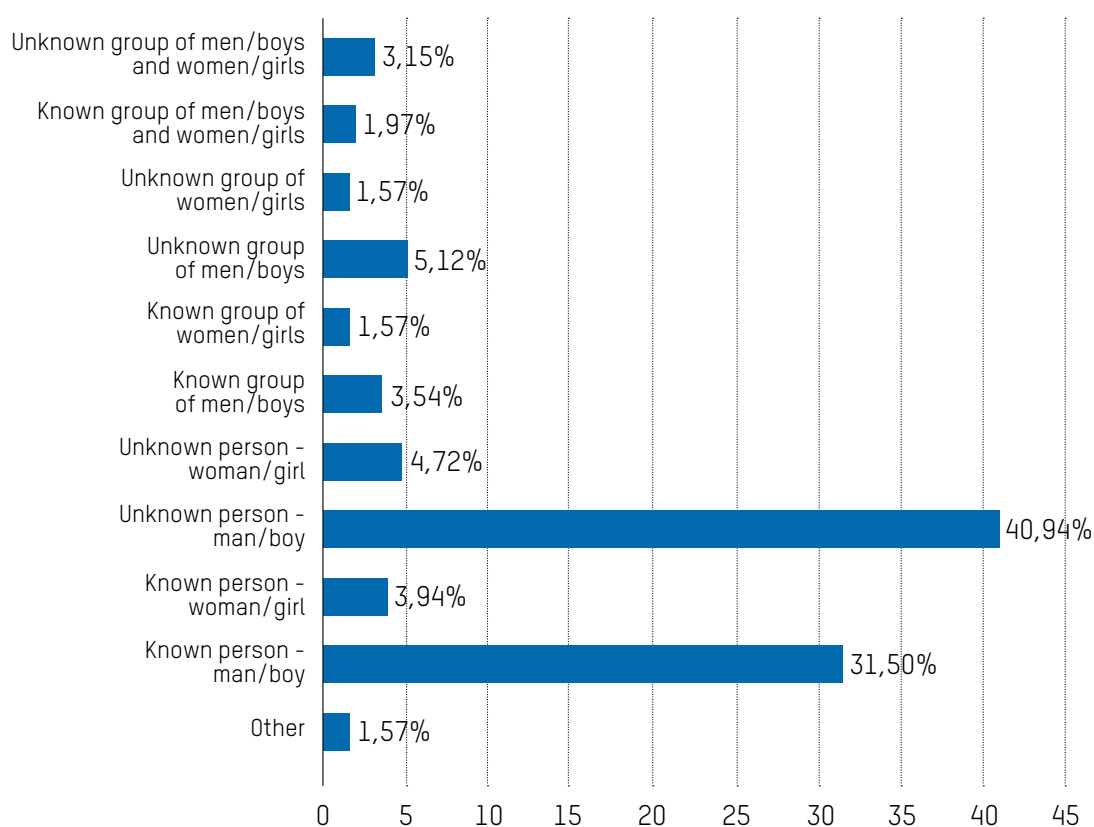
16 According to the latest research on technology-facilitated forms and dimensions of VAW, the UN Women Europe and Central Asia (ECA) Regional Office conducted comprehensive research in 13 countries of the ECA region: Albania, Bosnia and Herzegovina, Georgia, Kazakhstan, Kosovo, Kyrgyzstan, Moldova, Montenegro, North Macedonia, Serbia, Tajikistan, Türkiye, and Ukraine. The research shows that younger women are at a higher risk of being exposed to TF VAW than older women: the probability of experiencing TF VAW is 4 times higher for women aged between 18-24 than for those over the age of 65. The executive summary of this report is available at the following link: [research-tf-vaw_executive_summary_26-november.pdf](#) ([unwomen.org](#))

and Posting and spreading altered or false information over the internet, or 23.24%.

Regarding the platform or digital medium where they faced violence, 75.7% of the respondents reported experiencing some type of technology-facilitated GBV on Facebook, followed by 37.30% on Instagram. The act of violence was most commonly conducted by an unknown man, although known men were also reported as perpetrators.

Regarding perpetrators of the acts of violence, or persons who most often commit acts of violence, against respondents who have faced technology-facilitated GBV, the largest percentage of perpetrators were unknown male persons at 40.94% or known male persons at 31.50%. The results of the responses are presented in the following chart:

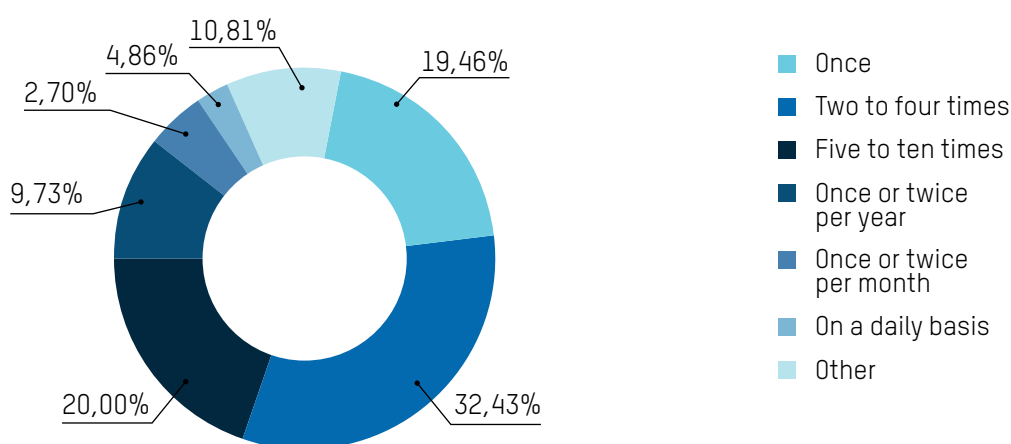
Q11. WHO COMMITTED THE ACT OF VIOLENCE?



The act of violence is often repeated rather than isolated. Most of the women respondents, or 32.5%, reported that they have experienced technology-facilitated GBV two to four times and even 20% stated that they have faced some form of violence five to ten

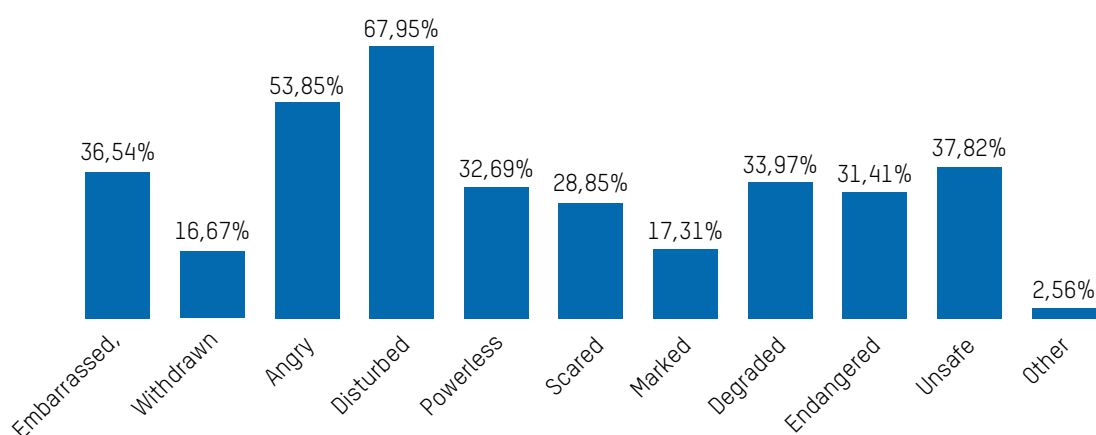
times. Furthermore, the percentage of those who reported encountering some form of violence often, i.e., on a daily basis or once or twice per month, is also significant, nearly 8%. ***This means that one in ten women faces technology-facilitated GBV on a daily basis.***

Q12. HOW OFTEN HAVE YOU FACED ONLINE HARASSMENT OR OTHER FORMS OF DIGITAL VIOLENCE?



As a result, women experience numerous emotional consequences, reporting that they feel disturbed, angry, embarrassed, degraded and endangered. Additionally, every second woman reported feeling unsafe and every third woman reported feeling scared.

Q15. HOW DID YOU FEEL AFTER EXPERIENCING THE ACT OF VIOLENCE?



The most common reasons women believe they have experienced violence are their physical appearance, their gender and having a personal opinion.

„I’ve been intimidated often; He threatened that he would post pictures of me in the shower and naked on Facebook without my consent.” – response given by a woman in the survey questionnaire.

„After I refused to interact with him in person and on social media, he made several fake profiles on social media to threaten and insult me, likely to intimidate me and make me feel guilty for not wanting anything to do with him. This was happening for a period of 3-4 months on a daily basis.” – response given by a woman in the survey questionnaire.

„For many years, I was the victim of stalking, and the institutions did nothing about it, even though I was physically attacked, stalked, harassed online, my car was broken into twice, and my office was demolished once.” – response given by a woman in the survey questionnaire.

„I was stalked by a man with fake profiles on social media. At the same time, he threatened other women as well. I was also blackmailed into marrying him if I wanted the stalking and harassment to stop. He also threatened to kill me.” – response given by a woman in the survey questionnaire.

„A group of male minors published a video on a social media platform where they sexually harassed a minor girl. Twitter as a platform is constantly filled with someone’s personal pictures posted by anonymous profiles for the purpose of shaming.” – response given by a woman in the survey questionnaire.

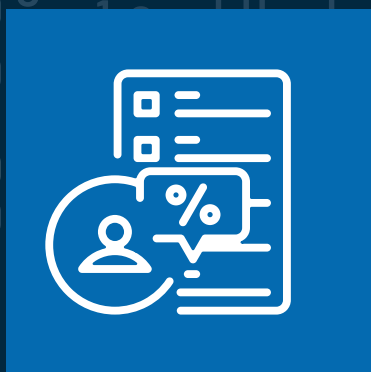
A high percentage of the women who have experienced technology-facilitated GBV, or 79%, did not report the incident anywhere, which indicates a lack of information about

the protective mechanisms, but also possible mistrust in the institutions, as confirmed by the focus group participants. Most often, the violence is reported on the social media platform itself and to the police. Regarding the victim’s satisfaction with the outcome of the procedure, 70% reported that they were not satisfied with the outcome.

„The only help I got from the police was the advice to block him. But who will guarantee that this person will not make another profile and harass me again? Nobody can protect me. There is no punishment for the harassers.” – response given by a woman in the survey questionnaire who reported an act of technology-facilitated GBV to the police.

„I reported the act electronically via the red button on the website of the Ministry of Interior and I attached appropriate evidence. I sent the same evidence by e-mail to the Ministry of Interior and the Center for Social Work because the perpetrators were minors and there was a victim who was a minor as well. I received a reply e-mail stating that the identity of all persons involved was being investigated. The cooperation between the Ministry of Interior and the Center for Social Work took quite a long time until a good outcome was reached. On several occasions, the institutions had to be reminded about the case so that it would not take too long to be resolved.” – response given by a woman in the survey questionnaire who reported an act of technology-facilitated GBV to the police.





6. FINDINGS OF THE GAP ANALYSIS AND NEEDS ASSESSMENT

Legal and policy framework – The amendments to the Criminal Code, which introduced the criminal offenses of Harassment and Stalking, including in the digital space, were recognized as a positive change by both institutions and citizens' associations. There is a general agreement that further changes in the legal and policy framework should be introduced to meet international standards on technology-facilitated GBV. Discussions on possible changes with institutions and the civil society sector included two options: the first focused on broadening the scope of the existing legal framework with a specific definition of technology-facilitated GBV, specific criminal offenses according to the Istanbul Convention and specific services for victims of technology-facilitated GBV. The second option was the adoption of a specific law on technology-facilitated GBV. Most of the people included in the interviews and focus groups confirmed that developing and adopting a new specific law solely on technology-facilitated GBV is not recommended. Instead, the focus should be placed on modifying and broadening the scope of the existing law and policy framework through a participatory process.

Police – There is a general agreement between institutions and the civil society sector that the prevalence of technology-facilitated GBV has increased, but the capacities of institutions have not been strengthened. These capacity gaps refer to the technical, personal and educational aspects of institutions. Cybercrime police is understaffed, and no specific capacities for better understanding of technology-facilitated GBV have been built. Some interviewees confirmed that they have attended training on gathering electronic evidence in cases of digital crimes, but not specifically in cases of technology-facilitated GBV, which could help prevent retraumatizing the victims. A discrepancy in the capacities of the police departments was noticed, whereby it was concluded that the capacities of the Sector for Internal Affairs – Skopje should be additionally strengthened. This results in a lack of opportunities for quick and efficient protection of victims, considering that they mostly report cases of GBV in the sectors for internal affairs. In this regard, there are no special rooms available for victims who want to report technology-facilitated GBV in the departments responsible for cases of technology-facilitated GBV. It was also mentioned that the situation is similar in the other regional Sectors for Internal Affairs, but no interviews were conducted there, and this should be confirmed. There is a lack of technical equipment as well, leading to low operational capacities and a lack of possibilities for evidence gathering, especially in the Sector for Internal Affairs. The cooperation between the different police sectors for cybercrime (Sector for Cybercrime and Digital Forensics and the Sector for Internal Affairs Skopje – Economic and Computer Crime Unit and the Investigative Centre, part of the Public Prosecutor's Office in Skopje) is not at an adequate level, affecting the efficiency of the procedures when a case of technology-facilitated GBV is reported. Additionally, there are

no operating procedures on how the police should act and coordinate in cases of technology-facilitated GBV. Furthermore, the co-operation with the Public Prosecutor's Office is also considered insufficiently efficient, mostly due to the administrative procedures that must be strictly adhered to. There is written communication between the Public Prosecutor's Office and the police conducted through official mail and therefore, the process of delivering documents and reports to the Public Prosecutor's Office is very slow. Sometimes it takes even two months for a certain document or report to be received by the Public Prosecutor's Office. The establishment of the Investigative Centre as part of the Public Prosecutor's Office was emphasized as a good practice, but its capacities should be further strengthened by increasing the number of people on the team, enhancing the ability to handle cases of technology-facilitated GBV and upgrading technical equipment, especially by acquiring software licences important for evidence gathering.

The police also lacks the capacities to work with victims of technology-facilitated GBV through a victim-centered approach, which was confirmed by the interviewees from the police and civil society organisations. Additionally, the police should be further sensitized to work with victims from marginalized communities, who generally feel unprotected by the police.

Public prosecution and judiciary – Domestic violence remains the most reported form of violence in the Public Prosecutor's Office and the most recognized one by public prosecutors. Despite the fact that technology-facilitated GBV is part of the "new era of crime", no special training on recognising the different forms of technology-facilitated GBV by public prosecutors and judges is conducted. This was also confirmed by the Academy for Judges and Public Prosecutors, according

to which, in 2023, only one training was conducted on the criminal offense of Stalking as part of the continuous program for judges and public prosecutors, and no such trainings are planned for 2024. Significant effort has been put into building the capacities of the Public Prosecutor's Office, judges and police for protection against sexual abuse of children both online and offline and/or in connection with trafficking. However, these trainings do not include sections to understand the gender dimension of online sexual violence against children, nor on technology-facilitated violence in a broader sense. The lack of capacities and sensitivity on the topic results in many reported cases being dismissed by the Public Prosecutor's Office with the explanation that they cannot be characterized as criminal offenses. Furthermore, the Public Prosecutor's Office hardly ever uses the opportunity to conduct ex-officio procedures for these types of cases, thereby prioritizing other types of crimes. The cooperation between the Public Prosecutor's Office and the police was rated at a high level, but the slow flow of information and the lack of a special protocol for handling cases of technology-facilitated GBV were also confirmed.

Centres for social work – The centres for social work are not well recognised by any of the institutions as centres handling cases of technology-facilitated GBV. This was also confirmed by civil society organisations, which emphasized that the centres for social work even refuse to accept cases of technology-facilitated GBV and refer the victims to the police. It was also confirmed that no special trainings on technology-facilitated GBV were provided for the employees of the centres for social work.

Civil society organisations – There is also a trend of increasing numbers of cases of technology-facilitated GBV reported in civil society organisations. However, civil society

organisations do not have sufficient capacities or resources to support the increasing number of victims of technology-facilitated GBV, especially due to the fact that they are much more engaged in the 'traditional' areas of gender-based violence. There is no organization that provides specialized services for victims of technology-facilitated GBV. Organizations that lead national helplines or offer counselling services reported several cases of technology-facilitated GBV, where they provided some services, but they also admitted that they lacked sufficient knowledge and skills to adequately respond in these cases. They also emphasized the need for enhanced cooperation between civil society organisations that provide services to victims of GBV through online platforms and enhanced multi-sectoral cooperation with the institutions.

Statistics – Both the institutions and civil society organisations confirmed that there were no specific statistics on the types and forms of technology-facilitated GBV that were reported and prosecuted. The Ministry of Interior and the courts collect data only on domestic violence cases. The Public Prosecutor's Office and the State Statistical Office collect statistics on specific crimes, but not explicitly on the different forms of GBV, including technology-facilitated GBV. This also limits the possibilities to adequately track the increase in the number of reports and criminal charges for technology-facilitated GBV and to monitor trends related to the victims, considering that the systems for reporting do not have an intersectional approach.

Victims of technology-facilitated GBV –

The analysis of the data gathered using the methodological tools, as well as the available analyses from different national and international organisations, show that women and girls are disproportionately affected by the different forms of technology-facilitated GBV.

Men and boys can also be affected by technology-facilitated violence, but when some characteristics of the case are interlinked with a vulnerable or marginalized group in the society, especially LGBTQI individuals, this is also considered technology-facilitated GBV. Regarding the intersectional aspect of women and girls who are victims of technology-facilitated GBV, women and girls from ethnic minorities, women with disabilities, as well as women from marginalized communities, especially LGBTQI individuals and women sex workers, are more exposed or have more intense experiences when it comes to technology-facilitated GBV.



7. RECOMMENDATIONS

The analysis provides more in-depth recommendations for the institutions and civil society sector, with some of the most relevant ones included in this executive summary.

LEGAL AND POLICY FRAMEWORK – The legal and policy framework should be amended to recognize different forms of technology-facilitated GBV and to strengthen multi-sectoral cooperation and the efficiency of the protection of victims of technology-facilitated GBV. Specifically, the following steps should be undertaken to update the legal and policy framework:

1. Criminal Code

- The definition of gender-based violence in the Criminal Code should be supplemented to include the aspect of technology-facilitated GBV.
- A special incrimination of psychological GBV, in line with Article 33 of the Istanbul Convention that will also include the psychological effects of technology-facilitated GBV as per GREVIO Recommendation No.1, should be introduced in the Criminal Code.
- The criminal offense of Misuse of Personal Data should be amended to include **provisions on the misuse of personal data as a form of technology-facilitated GBV**. The Criminal Code should further explicitly state that personal data include images, videos, or similar material.

- The same applies for the criminal offense of **Unauthorized Recording**, which should be amended as a qualified offense with more severe punishment if committed as a technology-facilitated GBV in the form of cyberflashing, non-consensual pornography and/or revenge porn.
- The criminal offense of **Intermediation in Performing Prostitution** should be amended to include **special provisions on technology-facilitated trafficking in human beings**.
- The criminal offense of **Gratifying Sexual Urges in Front of Another** should be amended as a qualified offense with more severe punishment if committed as technology-facilitated gender-based violence in the form of **cyberflashing**.
- The criminal offense of **Racial and Other Discrimination** should be amended to specify whether it also regulates violations of those rights in the digital sphere.

2. Law on Prevention and Protection against Violence against Women and Domestic Violence

- The Law should be amended to include a specific definition on technology-facilitated GBV and its various forms, as defined and explained in GREVIO Recommendation No.1.
- The Law should be amended to provide for specific services for victims of technology-facilitated GBV and special measures for protection against technology-facilitated GBV.

INSTITUTIONS

1. Capacity-building in the area of technology-facilitated GBV

- Specific trainings on understanding and recognizing technology-facilitated GBV should be provided to police officers, judicial institutions, centres for social work, and representatives of the Ministry of Labour and Social Policy. These trainings should be grounded in a victims' rights approach and should connect all relevant actors in the protection system, including civil society organisations.
- The Academy for Judges and Public Prosecutors should also develop training(s) on technology-facilitated GBV as part of the initial and continuous program for judges and public prosecutors.

2. Cooperation within the police

- A special operating procedure or an internal protocol for handling cases of technology-facilitated GBV should be developed and introduced within the Ministry of Interior. This will support coordinated police action and result in more efficient protection of victims of technology-facilitated GBV.
- The personal and technical capacities of the police for evidence gathering should be enhanced. This includes the introduction of at least one specialized position within the cybercrime units that will focus on technology-facilitated GBV. This individual should be trained and skilled to handle and lead such cases of technology-facilitated GBV in coordination with other members of the cybercrime team. Strengthening technical ca-

pacities also includes providing adequate equipment for the cybercrime units and the Investigative Centre.

MULTI-SECTORAL COOPERATION

1. **Protocol for mutual cooperation of competent entities for taking measures for prevention and protection against violence against women and domestic violence – the Protocol should** include specific measures for prevention and protection against technology-facilitated GBV, as well as a coordinated approach among responsible institutions to handle cases of technology-facilitated GBV.
2. Coordinated approach for providing **statistics** on reported and prosecuted cases of GBV, categorized by the form of GBV, including technology-facilitated GBV and data on victims who have reported technology-facilitated GBV using an intersectional approach.

