



**CHILD SUPPORT: DOES CHILD SUPPORT
SATISFY CHILDREN'S NEEDS?**

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I. INTRODUCTION AND KEY FINDINGS

The preparation of this analysis is part of the activities that ESE undertakes in the field of providing access to justice for women who have suffered domestic violence, by collecting and analyzing data that indicate their real needs and, more importantly, using this data to change their conditions.

This is the second year we have prepared this analysis. Based on our knowledge and experience from last year, with this analysis, we have collected more and more in-depth data on the issue of court support for children of women who have suffered domestic violence and have separated from their ex-partner/husband. We collected the data by interviewing women who applied for legal aid and representation at the ESE Legal Aid Center in 2021, and who separated from their ex-partner/husband. We collected and analyzed data related to the basic characteristics of parents, which are important for determining the amount of support, data on the amount and when the support was requested, and in what amount and when it was determined by the court. We also analyzed the requests for changing the support, as well as the regularity and completeness of its payment. In addition, to support, we collected and analyzed data on the living conditions of the children before and after the divorce/separation, as well as the needs of the children before and after the divorce/separation, including data on whether these needs were met before and after the divorce/separation. Finally, we collected and analyzed data on the regular monthly expenses of the families/households of women victims of domestic violence and their children.

We analyzed all these data in order to determine whether the support meets the purpose, i.e. allows the satisfaction of the physical and mental needs of the children and their well-being. We also consider the issue of child support for women who have suffered domestic violence due to the special vulnerability of this group of women, ie the special situation in which they find themselves and the consequences they face. Often in addition to being faced with the consequences of violence, they are further confronted with the issue of non-payment of support and this further reduces their chances of a speedy recovery and fulfillment of their parental responsibilities.

Macedonian case law highlights several factors that should be considered when determining support by the court, and above all, it should be based on the age and needs of children according to their age. In addition to the age and needs of the children, when determining the support, the potential of both parents to contribute is determined. For the parent who is responsible for paying the support, his / her property status, the possibilities for gaining income and additional income, his / her needs, empathy with another partner, children he/she supports, willingness to pay the support, and his / her interest in contributing to the children's lives are considered. and other, i.e. when determining the amount of support, care is taken that it does not jeopardize his life needs and existence. To support the parent to whom the children are entrusted, the employment status, number and age of children from other communities / marriages, and living expenses are considered.

KEY FINDINGS

The well-being of children, which is the main goal of child support, is a complex issue that needs to be considered and explored from several points of view. Well-designed and well-established child support policies should enable the increase of financial and all other resources that should be made available to children, enable the elimination of difficulties that prevent uninterrupted support, provide employment opportunities for parents responsible for support, and support the parents who are obliged to pay support to actively perform their parental responsibilities, as well as enable the performance of parental responsibilities jointly by both parents.

This analysis is based on the statements, ie the experience of one of the parents, ie mothers to whom the care and upbringing of children have been entrusted, and points out several issues that deserve attention in the current and future planning of child support policies.

These are the key findings of the analysis:

Are the children's needs met through support?

- Ten out of 17 women, their children, and the household members they live with after the separation/divorce do not have enough income, including social assistance, to cover their total monthly living expenses.
- The monthly expenses of six of the women and their children substantially exceed the average income of the households in which they live, ie to reimburse the monthly expenses they need additional funds in the amount of MKD 6,000 (EUR 100) to MKD 19,250 (EUR 310).
- The highest share in the regular monthly expenses relates to food and loan repayment or rent, followed by overhead and other expenses.
- 15 out of 17 women bear alone all the living expenses, since the parent who is responsible for paying the support does not pay it at all or pays with delay and in a smaller amount.
- Considering all the living conditions, ie the building, its size in terms of number of rooms, number of beds available, and number of people who lived/live before and after the separation and divorce, it can be concluded that the majority of women and their children, ie 10 out of 17 women live in worse living conditions after the divorce/separation.
- There is no change in living conditions for women and children who before and after the separation/divorce lived in a building that is their personal property or owned by their parents.
- Divorce significantly increases the number of women and their children living in rented accommodation, ie after the separation/divorce eight of the women live in rented accommodation, while previously only two women and their children did so.
- Five of the women contributed to the creation of joint property in the community/marriage, but unfortunately, after the separation/divorce with the children, they moved in with their parents or lived in rental accommodation.

- The needs of the children of nine out of 17 women remained unsatisfied after the divorce/separation, especially the educational ones, including courses (children of eight women), clothes (children of six women), recreational activities (children of five women) and food (children of three women).
- According to the established case law for determining the amount of support at between $\frac{1}{3}$ and $\frac{1}{2}$ of the income of the parent who is responsible for payment and their possibilities and circumstances, it follows that the court could have determined higher support.
- The court did not award maintenance in the amount requested to the majority of the children, i.e. the court determined an amount lower than the requested one, lower by 16% to 100%.
- The court usually does not order the payment of support for the period from when it is requested, which means that on average the claimed support is reduced by 6 months or half a year per child.
- Only one in 16 women seeking support for their children is satisfied with the court's decision, and four are partially satisfied with the amount of support which they say is not commensurate with the substantial needs of the children, the reduced quality of life, and mostly does not correspond to the amount of the father's income.
- The majority of nine women are not satisfied with the support due to two reasons, namely dissatisfaction with the amount relative to the needs of the children and disapproval from the moment when the support is requested.
- The third child allowance that is taken into account by the court when determining alimony can only help one in three women receive this allowance to meet the needs of the children.
- Approximately 90% of women whose children have been granted support do not receive it at all or receive it late. Two receive it late and in a smaller amount than the order, 15 children do not receive support at all, while 11 receive it late, giving a total of 29 children.

What are the possibilities for the noncustodial parents to pay the maintenance and the parents to whom the children are entrusted with care and upbringing to contribute to the maintenance?

- There are no factors indicating an inability to pay or good reason for late payment of support by the paying parent.
- Support-paying parents have higher incomes than women, i.e. mothers of children to whom the children are entrusted, except for one woman who receives income in the same category as her ex-husband/partner.
- The majority of the parents who are in charge of paying support can earn additional income, and only one of them has children from a previous marriage and the obligation to support them.
- Ten out of 17 women entrusted with the care and upbringing of children covered by this analysis have no personal income because they are unemployed.

It is worth mentioning that the findings of this year's analysis confirm the findings of last year. In the opinion of women who have suffered domestic violence, the amount of support should be determined first of all according to pre-determined criteria that correspond to the age of the children (nine women) and considering the total income of the parent who is responsible for paying support (eight women). Some of them believe that the court procedures for determining support should be considered urgent (five women), that there should be the mandatory determination of support payment from the time of separation of their parents (four women), and that measures are needed for efficient and timely collection of support (three women) and that there should be a special state fund to reimburse the expenses of the children, i.e. their support (one woman).

Given that this analysis does not explore all issues relevant to child support, we call on the national actors relevant to this issue to make systematic and continuous efforts to collect data and analyze all important aspects that should enable the fulfillment of the basic goal of support – namely, the well-being of children. In doing so, we recommend an approach based on the needs and conditions that is pragmatic and enables uninterrupted maintenance and fulfillment of parental responsibilities jointly by both parents.

II. BASIC DATA FOR WOMEN WHO HAVE SUFFERED DOMESTIC VIOLENCE AND THEIR PREVIOUS PARTNERS

This part of the analysis contains basic demographic data on the parents, i.e. the woman who suffered domestic violence and her ex-husband/partner, including data that are relevant for the analysis. These are primarily questions about employment status before and after separation or divorce, the amount of net income, the possibility of earning an additional income from the former partner/spouse, and income on the basis of social assistance and ownership of property. Some of these issues are relevant in determining the amount of support by the court.

Table 1: Age of the woman who suffered domestic violence and her ex-partner/husband

Age	the woman	ex-partner / husband
up to 20 years	0	0
21–30	2	0
31–40	9	11
41–50	5	6
51–60	1	0
over 60	0	0
Total	17	17

Table 2: Nationality of the woman who suffered domestic violence and her ex-partner/husband

Nationality	the woman	ex-partner / husband
Macedonians	13	13
Albanians	1	1
Turks	0	0
Roma	2	1
Vlachs	0	0
Serbs	1	1
Other	0	1
Total	17	17

Table 3: Education of the woman who suffered domestic violence and her ex-partner/husband

Education	the woman	ex-partner / husband
No education	0	0
Unfinished primary	0	1
Primary education	2	1
Incomplete secondary education	1	1
Secondary Education	10	13
Undergraduate studies (higher / higher)	4	1
Postgraduate studies	0	0
Total	17	17

Table 4: Employment status of the woman who suffered domestic violence and her ex-partner/husband

Employment status	Before separation / divorce		After the separation/divorce	
	the woman	ex-partner / husband	the woman	ex-partner / husband
Employees	11	15	7	13
Employers	0	1	0	1
Employees for their own account	0	0	0	1
Unpaid family workers	1	0	0	0
Students	0	0	0	0
Housewives	0	0	0	0
Unemployed	5	1	10	0
Retirees	0	0	0	1
Permanently incapable of work	0	0	0	0
Other	0	0	0	0
Does not know				1
Total	17	17	17	17

The data show a decrease in employment of both parents after the separation/divorce, but it is still worth mentioning that the number of unemployed women who suffered domestic violence doubled after the separation/divorce. That is, among women we have a decrease in the number of employees and an increase in unemployment, which indicates the unenviable financial position

of women. Among men, we have a decrease in employment, but their condition has not worsened, because in one of them he only changed his employment status, i.e. he was employed for his own account, and one of them received a pension.

Table 5: Amount of net personal income of the woman who suffered domestic violence and her ex-partner/husband

Personal net income	the woman	ex-partner / husband
Up to 3.000	0	0
From 3.001 to 7.500	0	0
From 7.501 to 15.000	2	0
From 15.001 to 30.000	5	2
From 30.001 to 45.000	0	5
From 45.001 to 60.000	0	4
More than 60.001	0	3
No personal income	10	0
I do not know	0	3
Total	17	17

The information on the personal net income of the woman and her ex-partner/husband confirms that the majority of women (n = 10) out of a total of 17 women included in this analysis have no personal income because they are unemployed. Of those who earn income, two are in the category from 7,501 to 15,000 MKD, and five earn from 15,001 to 30,000 MKD. In contrast, their ex-partner husbands have higher net incomes. Most of them are in the range from 15,001 to more than 60,001 MKD.

To this situation, we should add the fact that the majority (14 out of 17) of ex-partners/husbands according to women can earn income on other grounds. This means that net income and the possibility of earning additional income is the basis for the court to rule higher amounts of support, which meet the needs of children.

Prior to the separation, only one family used social assistance in the amount of MKD 60,000, as they received this assistance from a foreign country. After the separation, i.e. the divorce, the former partner/husband continued to receive social assistance in the same amount as before.

Of some of the women who suffered domestic violence after the separation/divorce or nine of them (n = 9) applied for social assistance, of whom six were approved. The other three were rejected. This means that all but one of the women who are unemployed after the separation/divorce have applied for social assistance.

Table 6: Personal property of the woman who suffered domestic violence and her ex-partner/husband

Personal property	the woman	ex-partner / husband
Yes	6	9
No	10	2
Does not know	0	6
He does not want to speak out	1	0
Total	17	17

The better financial situation and material situation of the former partners/husbands can be seen from the data regarding personal property. As expected, significantly more women do not have a property in their personal name, ie five times more than their ex-partners/husbands. We assume that the difference is even greater because one-third of the women do not know if their ex-partner/husband has personal property.

Only one of the ex-partners/husbands of women who have suffered domestic violence has children (three) from a previous union/marriage. In that sense, only one out of 17 has an obligation to support them and this is taken as data when determining the support for children from the union/marriage with the woman who was included in this analysis. Namely, when determining the support, the court takes care not to endanger the necessary existence of the support provider and his family members. This number may be higher because for three of the partners/husbands the women do not know if they have children to support before.

III. CHILD SUPPORT

This analysis addresses a number of issues or aspects that are relevant to a court's determination of support. Therefore, this part of the analysis first examines the basic information about the number of children of women who have suffered domestic violence and who are divorced or separated from their husband/partner, the children for whom they sought support, as well as the grounds on which they did not seek support for some of the children. We are also considering the issue of a third child allowance, as it is taken into account by the court when determining child support.

In addition to the individual consideration of certain relevant issues that are considered by the court, we also reviewed them cumulatively, making a comparison in relation to the established case law in determining the support on the basis of these relevant issues.

A) Children for whom women sought support

Out of a total of 17 women interviewed for the purposes of this analysis (Table 7), 16 sought support for their children (Table 8). One of them, despite having one child from the marriage which ended in an amicable divorce, was not granted child support during the divorce, so we later excluded her from the analysis in terms of other parameters related to support.

The difference between the total number of children and those for whom support is sought is due to the following: two of the children are from a previous marriage of the women, three are from a union concluded after the separation for which they gave us data for this analysis, one child is not recognized by the father, and four are adults and not full-time students, so no support is required for him.

Table 7: Number of children of women included in the analysis

Number of children	Number of women	Total children
One child	4	4
Two children	6	12
Three children	5	15
Four children	1	4
Five children	1	5
Six children	0	0
More than six	0	0
Total	17	40

Table 8: Number of children for whom women sought support

Number of children	Number of women	Total children
One child	9	9
Two children	1	2
Three children	6	18
Four children	0	0
Five children	0	0
Six children	0	0
More than six	0	0
Total	16	29

Seven of the women have three or more children, which means they could receive a third child allowance. This supplement is considered when awarding support, so we analyzed whether and how many women receive funds on this basis. Three of the women receive this allowance, one in the amount of MKD 8,300 and two in the amount of MKD 7,000 (marked in green in Table 9). The other four do not receive the allowance (marked in red in Table 9).

Table 9: Women receiving a third child allowance and the amount they receive

Woman (1)	Number of children (2)	whether she receives an allowance (3)	amount of the allowance in MKD (4)
TK (1)	1		
RK (2)	2		
ZNC (3)	4	yes	8,300
MV (4)	3	yes	7,000
FI (5)	3	yes	7,000
SM (6)	2		
AI (7)	5	no	0
NN (8)	3	no	0
SI (9)	1		
AJ (10)	1		
RM (11)	2		
LJT (12)	3	no	0
SB (13)	2		
DB (14)	2		
LKK (15)	2		
SN (16)	1		
DK (17)	3	no	0

B) Amount of required and awarded support

One of the questions we considered is whether there is any regularity in claiming child support, in terms of whether the amount of child support required is the same for children of the same age (Table 10) and it can be concluded that there is no relationship between age and support. On the contrary, the difference in the required amounts of support for children of the same age, which we assumed have equal needs (unless it is due to a special condition in which the child is), differ significantly. That is, that difference ranges from one-third to several times the difference.

Table 10: Gender of children, requested, awarded and the difference between requested and awarded support

Children (1)	Age (2)	Gender (3)	Required support (4)	Awarded support (5)
19	1.7	male	4,000	4,000
3	3	male	4,000	3,000
1	5	female	9,000	8,000
12	5	female	1,500	1,000
6	6	female	3,000	3,000
16	7	female	6,000	5,000
26	7	female	5,000	5,000
9	8	female	2,000	1,000
2	9	male	5,000	3,000
5	9	female	4,000	3,000
11	10	female	1,500	1,000
20	10	female	3,000	2,000
23	10	female	2,000	1,500
28	10	male	3,500	2,000
29	10	male	3,500	2,000
13	11	female	6,000	4,000
15	11	female	7,000	5,000
17	11	male	5,000	3,000
18	11	male	6,000	4,500
4	12	female	6,000	4,000
22	12	female	2,000	1,500
10	13	male	2,000	1,000
24	13	male	8,000	4,000
21	14	female	2,000	1,500
25	14	female	8,000	6,000
27	14	female	3,500	2,000
14	15	female	8,000	5,000
8	16	female	2,000	1,000
7	19	male	2,000	0

We also wanted to determine if and how much the requested and awarded amount of support differs. It is evident that the court did not award support in the amount requested, except for

three children. For all others, the court set a lower amount. In other words, the court set an amount lower than the requested one, lower by between 16% and 100%. On average, the reduction is 32% or one-third of the requested amount (Table 11).

Table 11: Age and gender of children, requested, awarded, and the difference between requested and awarded support

Children (1)	Age (2)	Gender (3)	Required support (4)	Awarded support (5)	Difference between dam and awarded (6)	Woman (7)
1	5	female	9,000	8,000	- 1,000 (25%)	TK (1)
2	9	male	5,000	3,000	-2,000 (40%)	RK (2)
3	3	male	4,000	3,000	-1,000 (25%)	
4	12	female	6,000	4,000	- 2,000 (33.3%)	ZNC (3)
5	9	female	4,000	3,000	-1,000 (25%)	
6	6	female	3,000	3,000	0	
7	19	male	2,000	0	- 2,000 (100%)	MV (4)
8	16	female	2,000	1,000	-1,000 (50%)	
9	8	female	2,000	1,000	-1,000 (50%)	
10	13	male	2,000	1,000	- 1,000 (50%)	FI (5)
11	10	female	1,500	1,000	- 500 (30%)	
12	5	female	1,500	1,000	- 500 (30%)	
13	11	female	6,000	4,000	- 2,000 (30%)	SM (6)
14	15	female	8,000	5,000	-3,000 (37.5%)	AI (7)
15	11	female	7,000	5,000	-2,000 (28.5%)	
16	7	female	6,000	5,000	-1,000 (16.7%)	
17	11	male	5,000	3,000	- 2,000 (40%)	NN (8)
18	11	male	6,000	4,500	-1,500 (25%)	SI (9)
19	1.7	male	4,000	4,000	0	AJ (10)
20	10	female	3,000	2,000	-1,000 (30%)	RM (11)
21	14	female	2,000	1,500	- 500 (25%)	LJT (12)
22	12	female	2,000	1,500	- 500 (25%)	
23	10	female	2,000	1,500	- 500 (25%)	
24	13	male	8,000	4,000	-4,000 (50%)	SB (13)
25	14	female	8,000	6,000	-2,000 (25%)	DB (14)
26	7	female	5,000	5,000	0	LKK (15)

27	14	female	3,500	2,000	-1,500 (42.85%)	DK (17)
28	10	male	3,500	2,000	-1,500 (42.85%)	
29	10	male	3,500	2,000	-1,500 (42.85%)	

Considering that the court takes into account several factors that are individual for each case, ie child, in determining the support, we reviewed more of them, wanting to see if there were conditions that justified determining a higher amount of support than the defendant.

Namely, according to the established court practice, several issues are taken into account when determining the amount of support. First of all, it is the age and needs of the child, the possibilities of the one who will pay the support, ie their income and opportunities for additional earnings, as well as whether the support would jeopardize their existence and his life needs and possibly the needs and lives of other children for those who have them.

We determined the needs of the children of women who have suffered domestic violence and if we compare this amount with the amount of support provided (columns 8 and 10 of table 12), it can be concluded that only in four cases, ie for children of four of the women, the amounts set by the court are higher than the needs of the children. In all others or for the children of 12 women (n = 16), the amounts of support set by the court are less than the needs of the children.

The data indicate that the parents who are responsible for paying support have higher incomes than women, ie mothers of children who are guardians of children for whom support is sought (columns 5 and 6). Only one woman receives income in the same category as her ex-husband/partner. The majority of parents who are responsible for paying support can also earn additional income (column 7). Only one of them has children from a previous marriage and eventually, that obligation may affect the amount of support (column 4). This means that there are no factors that indicate the inability to pay support according to the needs of the children.

The established case law also indicates that if the woman has no income or has a lower income than the father, the support can be up to 1/3 of his income, and if they have more children then it can be 1/2. If we apply this rule to the cases we have analyzed, it follows that the court could have determined higher support (columns 12 and 13 of Table 12). We must emphasize that we made the calculation based on the average income from the income category of the parent who is in charge of the women. However, even if the income of the indebted parent is below the lower limit of his / her income category, the court could again set higher amounts.

If we add the allowance for a third child to the support that is awarded, it can help only one woman to meet the needs of the children, but not the other two who receive this allowance (rows 3, 4, and 5 of table 12).

Table 12: Factors influencing the determination of support and expected support according to established court practice

woman (1)	no. of children (2)	no. of children for whom the support was requested (3)	children from previous marriages that the father has to support (4)	mother's income (5)	father's income (6)	opportunity for additional income of the father (7)	needs of children seeking support before (8)	whether the needs were met before (9)	awarded support (10)	average of father's income (11)	expected support in% (12)	expected support in the absolute amount of the average father's income (13)	allowance for a third child (14)
TK (1)	1	1	no	0	45,001 - 60,000	yes	4,500	yes	8,000	52,500	30%	15,750	/
RK (2)	2	2	no	0	30,001 - 45,000	yes	6,500	no	6,000	37,500	50%	18,750	/
ZNC (3)	4	3	no	15,001 - 30,000	30,001 - 45,000	yes	19,500	yes	10,000	37,500	50%	18,750	8,300
MV (4)	3	3	no	0	30,001 - 45,000	yes	7,400	yes	2,000	37,500	50%	18,750	7,000
FI (5)	3	3	no	0	Does not know	yes	16,000	yes	3,000	does not know	does not know	does not know	7,000
SM (6)	2	1	does not know	0	45,001 - 60,000	does not know	2,000	no	4,000	52,500	30%	15,750	/
AI (7)	5	3	no	0	over 60,001	yes	18,500	no	15,000	60,000	50%	30,000	/
NN (8)	3	1	does not know	0	over 60,001	does not know	4,000	yes	3,000	60,000	30%	20,000	/
SI (9)	1	1	no	15,001 - 30,000	30,001 - 45,000	yes	5,500	no	4,500	37,500	30%	11,250	/
AJ (10)	1	1	no	15,001 - 30,000	15,001 - 30,000	yes	7,000	yes	4,000	22,500	30%	6,750	/

RM (11)	2	1	3 children	0	does not know	yes	0	/	2,000	does not know	does not know	does not know	/
LJT (12)	3	3	no	15,001 - 30,000	does not know	yes	5,000	no	4,500	does not know	does not know	does not know	/
SB (13)	2	1	no	0	45,001 - 60,000	yes	9,500	yes	4,000	52,500	30%	15,750	/
DB (14)	2	1	no	7,501 - 15,000	over 60,001	yes	3,500	yes	6,000	60,000	30%	20,000	/
LKK (15)	2	1	does not know	0	30,001 - 45,000	does not know	3,000	yes	5,000	37,500	30%	11,250	/
SN (16)	1	1	no	7,501 - 15,000	15,001 - 30,000	yes	7,500	yes	/	/	/	/	/
DK (17)	3	3	no	15,001 - 30,000	45,001 - 60,000	yes	7,000	yes	6,000	52,500	50%	26,250	/

* the woman whose child during the amicable divorce was not awarded maintenance by the court is marked in red and in the part of the analysis dedicated to maintenance is not taken into account.

In order to better understand the findings presented above, we singled out those parameters that indicate the difference between the amounts that, according to the established case law, were expected to be determined and the awarded support (Table 13), supplemented by the needs of children and women's view as to whether those needs were satisfied before the divorce/separation (column 5 of table 13). Five out of 16 women or the children of these women stated that the needs of the children before the divorce and separation were not met.

Table 13: Expected support compared to the awarded support and the needs of the children

expected support based on the average of the income category of the parent responsible for payment (1)	awarded support (2)	allowance for a third child (3)	needs of children seeking support before (4)	whether the needs were met before the divorce/separation (5)
15,750	8,000	/	4,500	yes
18,750	6,000	/	6,500	no
18,750	10,000	8,300	19,500	yes
18,750	2,000	7,000	7,400	yes
does not know	3,000	7,000	16,000	yes
15,750	4,000	/	2,000	no
30,000	15,000	/	18,500	no
20,000	3,000	/	4,000	yes
11,250	4,500	/	5,500	no
6,750	4,000	/	7,000	yes
does not know	2,000	/	0	/
does not know	4,500	/	5,000	no
15,750	4,000	/	9,500	yes
20,000	6,000	/	3,500	yes
11,250	5,000	/	3,000	yes
/	/	/	7,500	yes
26,250	6,000	/	7,000	yes

* the data on the woman whose child was not granted support by the court during the amicable divorce are marked in red and in the part of the analysis dedicated to supporting they are not considered.

C) Since when is the support requested and since when has the support been awarded

In addition to the difference between the requested and the ordered amount of support, the court also does not act in line with the request and in relation to the period for which the

payment of support was requested. Namely, out of a total of 16 women who requested support for their children, the majority, or nine women, requested support from the day of separation from their partner/husband, and the rest from the day of filing the lawsuit. Although most women sought support from the time of the divorce, the court in most cases upheld support from the verdict. Only in one case did the court approve payment from the day of separation (Table 14).

Table 14: Period for which support is requested and awarded

	Number of women/children who applied	Number of women/children awarded
From the day of separation	9	1
From the day of filing the lawsuit	7	6
From the day of the verdict	0	9
Total	16	16

In order to assess the period for which the court did not award the requested support, we compared the period from when the support was requested and from when the support was granted and found that this period varies from 4 months to approximately two years (21 months). On average, the court did not grant the requested support for a period of 6 months or half a year per child (Table 15).

Table 15: Period from when the support is requested and when it is awarded and the difference between them expressed in months

Children (1)	Age (2)	Gender (3)	Support required by (4)	Support awarded by (5)	The difference in months from requested and awarded support (6)
1	5	female	September 2018	February 2019	5 months
2	9	male	March 2020	November 2020	8 months
3	3	male	March 2020	November 2020	8 months
4	12	female	November 2020	April 2021	5 months
5	9	female	November 2020	April 2021	5 months
6	6	female	November 2020	April 2021	5 months
7	19	male	November 2020	March 2021	4 months
8	16	female	November 2020	March 2021	4 months
9	8	female	November 2020	March 2021	4 months
10	13	male	January 2016	October 2017	21 months

11	10	female	January 2016	October 2017	21 months
12	5	female	January 2016	October 2017	21 months
13	11	female	May 2017	May 2017	0 months
14	15	female	December 2019	December 2019	0 months
15	11	male	December 2019	December 2019	0 months
16	7	female	December 2019	December 2019	0 months
17	11	male	January 2011	September 2011	8 months
18	11	male	January 2016	January 2016	0 months
19	1.7	male	July 2020	March 2021	8 months
20	10	female	September 2019	September 2019	0 months
21	14	female	March 2019	December 2019	9 months
22	12	female	March 2019	December 2019	9 months
23	10	female	March 2019	December 2019	9 months
24	13	male	September 2020	September 2020	0 months
25	14	female	August 2019	February 2020	7 months
26	7	female	January 2015	June 2015	5 months
27	14	female	May 2015	September 2019	4 months
28	10	male	May 2015	September 2019	4 months
29	10	male	May 2015	September 2019	4 months

D) Satisfaction with the awarded support

Only one in 16 women who have taken care of their children is satisfied with the court's decision. Four are partially satisfied and that partial satisfaction is due to the amount of support awarded. Namely, according to them, the amount of support is not appropriate for the substantial needs of the children, the reduced quality of life, and mostly does not correspond to the amount of the father's income. The majority, or nine women, are dissatisfied and two of the women cannot determine whether they are satisfied or not. Regarding the women who stated that they were dissatisfied, their dissatisfaction with the decision was due to two reasons, namely dissatisfaction with the unmet needs of the children and non-approval of the moment when the support was requested.

It is worth mentioning that the low amount of support awarded is based on an agreement between the parents in eight cases, including the cases in which the claim during the procedure was transformed into an agreement. However, in seven cases (n = 16) – two-fifths – the amount of support was determined by the court. Both women who stated that the support was paid on time in the specified amount, had these parameters determined by a lawsuit which was transformed into an agreement during the procedure.

E) Changing the originally awarded support

Bearing in mind this situation in relation to the amount and the period from when the support was awarded, we expected that the requests for changing the support would be more numerous.

However, only three women (n = 16) requested a change in the decision. The other 13 stated that they did not do so due to ignorance of this possibility (one woman), fear of the abuser (six women), lack of financial resources (two women), lack of financial resources of the ex-partner/husband (one woman) and lack of evidence of the income of the ex-partner/husband (two women).

Women seeking change in support (Table 16) demanded an increase of 50% to 100%. One of them demanded an increase due to the increased income of the father, one due to increased expenses for the children and inability to fully support herself, and the third due to increased expenses of the children alongside increased income of the father.

Table 16: Requirements for changing the maintenance provided

Women (1)	Children for whom support is sought (2)	Previously awarded support (3)	Amount of support requested with the change (4)	Increase in percentages (5)
1	Firstborn	1,500	3,000	100%
	Second-born	1,500	3,000	100%
	Third-born	1,500	3,000	100%
2	Firstborn	2,000	4,000	100%
	Second-born	2,000	3,000	50%
	Third-born	2,000	3,000	50%
3	Firstborn	4,000	6,000	50%

F) Is the support paid regularly and in full amount

Lack of regularity and completeness in payment is another factor that makes it difficult to meet the needs of children who have been granted support.

In half of the cases for which support was awarded, it is not paid at all (n = 16), and in the case of six women, it is paid with a delay (Table 17). Only two women receive support regularly and in the specified amount. This means that in practice approximately 90% of the women whose children have been granted support do not receive it at all or receive it with delay, two with a delay, and in a smaller amount than the awarded one. That is, 15 children do not receive support at all, while 11 receive it late (n = 29).

Table 17: Regularity and completeness in the payment of support

Regularity and completeness	Women	Children affected
Yes, on time and in the right amount	2	3
No, with a delay and in a smaller amount	2	6
No, with a delay and in the specified amount	4	5
He does not pay at all	8	15
Total	16	29

Looking at the data on non-payment and the factors that may affect it, such as employment status, ie income and the obligation to support children/parents from a previous union among those parents who do not pay at all, we did not find any justification for non-payment. On the contrary, except for one parent whose employment status and income are unknown, and who has 3 children from a previous union/marriage, all others who do not pay are employed and have incomes from 30,001 to over 60,000 MKD, and have no other children to support. This means that there is no reason not to pay the support, especially because the amount of support calculated on the basis of the average of the category of net income received by the obligated parent to pay support does not exceed 30% (Table 18). Only in two cases is the amount of support close to 30%, but in all others, it is far below 30% (column 6, table 18).

Table 18: Non-payment of support in relation to employment status, income, and obligation to support other children

Women (1)	Employment status after separation (2)	Net income category (3)	Average net income based on category (4)	Children from other marriages (5)	Total support for all children (6)	% of the support based on the average of the category of net income (7)	Number of supported children (8)
1	employer	45,001-60,000	52,500	no	4,000	8%	1 child
2	does not know	does not know	does not know	3 children	2,000	/	1 child
3	employee	over 60,000	60,000	does not know	3,000	5%	3 children
4	employee	over 60,000	60,000	no	15,000	25%	3 children
5	retiree	45,001-60,000	52,500	does not know	4,000	8%	1 child
6	employee	does not know	does not know	no	3,000	/	3 children

7	employee	30,001 - 45,000	37,500	no	10,000	27%	3 children
8	employee	45,001- 60,000	52,500	no	8,000	15%	1 child

Of those parents who are responsible for paying support and are late, the payment is late from between two months to one year (Table 19). That is, four children receive support with a delay of 2-3 months, while seven children receive it with a delay of 6 months to 1 year.

Table 19: Months of late payment of support

Delay in payment	Number of parents in charge of payment	Number of children paid for
2 months	2	3
3 months	1	1
6 months	2	4
1 year	1	3
Total	6	11

Considering the same factors as in terms of non-payment in order to determine if there is any factor that affects the late payment, we found that there are none (Table 20). All are employed / self-employed and have incomes from 15,000 to over 60,000 MKD. They generally have no obligation to support other children and the amount of support they have to pay on time does not exceed 30% of the average net income category in which they receive income. Only in one case is the support close to 30% of the net income of the parent, and in other cases, it ranges from 10% to 16%.

Table 20: Delay in payment with employment status, income, and children from other unions / marriages of the father

Delay (1)	Employment status (2)	Net income (3)	Average net income based on category (4)	Children from other marriages (5)	Total support for all children (6)	% of the support based on an average of the category of net income (7)	Number of supported children (8)
2 months	employee	30,001 - 45,000	37,500	does not know	5,000	13%	1 child
2 months	employee	30,001 - 45,000	37,500	no	6,000	16%	2 children
3 months	employee	over 60,000	60,000	no	6,000	10%	1 child
6 months	employee	Does not know	Does not know	no	4,500	/	3 children

6 months	employee	30,001 - 45,000	37,500	no	4,500	12%	1 child
1 year	self-employed	15,001 - 30,000	22,500	no	6,000	27%	3 children

Of the 14 women who do not receive support, the majority or 10 have taken legal measures to collect support. Six filed criminal charges for non-payment, seven filed a claim with the enforcement agency and one filed a motion with the SWC for a temporary ban on the father's right to meetings and contact with the children until support is paid. Four of the women took two measures to force collection, of which three filed criminal charges and filed a request with the enforcement agent, and only one filed a request with the enforcement agent and submitted a request to the SWC for a temporary ban on the right to meet and contact between father and children.

Out of 10 women who took a measure to force collection, only in four did this measure bear fruit, ie in three cases they were paid both due and current support, while in one case only the due support was paid. For five of the women, the forced collection procedure is still ongoing. Only one failed to pay the support despite taking measures.

Of the four women who did not take any coercive measures, two did not do so out of fear of the abuser, one because she was unaware of the possibility, and one because she thought there was no purpose, as her ex-husband had no funds from which support could be paid.

E) When the first support was received

Regarding when the first support is received by the parent with custody, it is characteristic that the delay ranges from two months to 1 year from the moment when the payment is awarded. In practice, 14 children received the first support late, and 15 did not receive it at all.

Table 21: Delay in receiving the first support expressed in months and number of children affected by the delay

	Women	Number of children
2 months from the separation/judgment	3	5
3 months from the separation/judgment	1	1
6 months from the separation/judgment	1	1
After 1 year from the separation/judgment	3	7
They do not pay at all	8	15
Total	16	29

IV. LIVING CONDITIONS AND THE NEEDS OF CHILDREN BEFORE AND AFTER DIVORCE / DIVISION

We analyzed how the divorce/separation changed the life and needs of the children, i.e. whether the support met their needs through data on the living conditions of women and their children before and after the divorce/separation and through data on their needs before and after, in relation to several aspects, i.e. the needs related to education, recreation, health care, and other needs.

A) Living conditions

Considering all the living conditions, i.e. the building, its size in terms of number of rooms, number of beds available, and number of people who lived/live before and after the separation and divorce, it can be concluded that the majority of women, i.e. 10 (n = 17) worse living conditions are observed.

There is no change for six women and for only one we assessed there is an improvement. For the women for whom we assessed the situation as worse, it is usually due to the change in the dwelling and especially a change from a multi-story house to an apartment or a one-story house (Table 22).

There is no change in the living conditions of women who before and after the separation/divorce lived in a building that is their personal property or is owned by their parents. However, there are cases in which there are changes in some of the parameters, changes some of which are worse while others are better, and therefore their condition before and after the divorce/separation we assessed as unchanged.

In the case of a woman who has an improvement, we base this conclusion on living in a house after the separation/divorce (previously in an apartment), with a larger number of rooms and beds, although this woman and her children lived in rented accommodation even before the separation/divorce.

It is worth mentioning that before the separation/divorce very few women – only two – lived in rented accommodation, while after the separation/divorce eight of the women and their children live in rented accommodation. Six of the women live together with their parents after the divorce/separation together with their children. One of these women had previously lived in a dwelling owned by her parents, but three lived in a dwelling owned by the parents of the ex-partner/husband, and two in a property that was jointly acquired in marriage.

Five of the women contributed to the creation of joint property in the union/marriage, but unfortunately, after the separation/divorce, they either moved in with their parents or lived in rented accommodation.

B) Needs of children

The needs of the children expressed per family before and after the divorce/separation are changed for all, except for the children of one woman (Table 23). The needs of the children of nine women increased in absolute terms after the divorce/separation, while for seven of the women they decreased in absolute terms. A detailed overview of the amounts of children's needs by type

can be found in the table below. What is more important is whether there are changes in respect of meeting the needs. The children's needs of two of the women were met both before and after the divorce. For three of the women, the needs of the children were neither before nor after the divorce. For only three of the women the needs of the children were not met before the divorce/separation, but afterward were met. The needs of the children of nine women out of a total of 17 that were satisfied before the divorce/separation, afterward are not met. According to the type of unsatisfied needs after the divorce/separation, the educational ones predominate, including courses (children of eight women), clothes (children of 6 women), recreational activities (children of 5 women), and food (children of 3 women).

Table 22: Living conditions before and after separation

Woma n (1)	where they lived before the separation/ divorce (2)	where they live after the separation /divorce (3)	floors before (4)	floors after (5)	rooms before (6)	rooms after (7)	beds in before (8)	beds after (9)	total number of people the y lived with (10)	total number of persons living with (11)	property before (12)	property after (13)	changes (14)
1	house	house	1	1	3	3	3	3	3	2	personal	personal	no
2	house	apartment	2	/	3	1	3	2	4	3	parents of the partner/husban d	rent	worse
3	house	house	2	2	4	4	4	4	8	7	owned by her parents	owned by her parents	no
4	house	house	2	1	4	3	5	3	5	5	owned by the partner/spouse' s parents	joint ownership with her parents	worse
5	house	house	3	1	6	3	7	5	6	8	acquired in marriage	owned by her parents	worse
6	apartment	apartment	/	/	2	2	2	2	3	2	personal	personal	no
7	house	apartment	3	/	7	3	4	1	9	4	acquired in marriage	rent	worse
8	apartment	house	/	1	1	3	2	4	3	4	rent	rent	better
9	house	apartment	2	/	2	2	3	2	5	2	owned by the partner/spouse' s parents	rent	worse
10	house	house	2	2	4	4	5	5	3	2	owned by the partner / spouse's	rent	no

											parents		
11	house	apartment	1	/	2	3	4	3	3	3	rent	rent	no
12	house	house	2	1	4	/	4	4	7	4	owned by the partner/spouse's parents	personal	worse
13	house	apartment	2	/	3	1	4	2	4	3	acquired in marriage	rent	worse
14	house	apartment	1	/	3	2	3	2	4	5	acquired in marriage	owned by her parents	worse
15	house	apartment	2	/	4	2	3	2	3	4	acquired in marriage	rent	worse
16	house	house	2	1	3	3	3	3	5	5	owned by the partner/spouse's parents	owned by her parents	worse
17	house	house	1	1	3	3	3	3	6	4	personal property of the ex-partner/spouse	owned by her parents	no

Table 23: Needs of children before and after divorce

Wom an (1)	types of costs (2)	first child (3)		second child (4)		third child (5)		fourth child (6)		fifth child (7)		Total costs (8)		whether the needs were met (9)	
		before	after	before	after	before	after	before	after	before	after	before	after	before	after
1	education	0	0									4,500	4,500	yes	yes
	recreation	1,500	1,500												
	health protection	1,000	1,000												
	other	2,000	2,000												
2	education	1,000	2,000	0	0							6,500	8,000	no	no
	recreation	500	1,000	0	1,000										
	health protection	500	500	500	500										
	other	2,000	2,000	2,000	1,000										
3	education	4,000	1,000	3,000	1,000	0	0					19,500	13,000	yes	no
	recreation	2,000	1,000	1,000	1,000	1,000	1,000								
	health protection	1,000	500	500	500	1,000	1,000								
	other	2,000	2,000	2,000	2,000	2,000	2,000								
4	education	1,500	0	1,000	500	500	500					7,400	3,600	yes	no
	recreation	1,000	500	500	0	0	0								
	health protection	500	200	200	200	200	200								
	other	1,000	500	500	500	500	500								

5	education	1,000	0	1,000	1,000	0	0					16,000	3,000	yes	no
	recreation	2,000	500	1,000	0	500	0								
	health protection	500	200	500	100	500	200								
	other	3,000	500	3,000	500	3,000	0								
6	education	500	1,000									2,000	3,500	no	no
	recreation	0	1,000												
	health protection	500	500												
	other	1,000	1,000												
7	education	1,000	0	1,000	0	1,000	500	1,000	500	0	0	18,500	10,600	no	yes
	recreation	0	0	0	0	0	2,000	0	2,000	0	2,000				
	health protection	500	0	500	0	500	200	500	200	500	200				
	other	2,500	0	2,500	0	2,500	1,000	2,500	1,000	2,000	1,000				
8	education	0	2,500									4,000	5,500	yes	no
	recreation	0	1,000												
	health protection	1,000	2,000												
	other	3,000	0												
9	education	0	2,000									5,000	7,000	no	yes
	recreation	0	2,000												
	health protection	2,000	1,000												
	other	3,000	2,000												

10	education	0	0								7,000	4,000	yes	yes
	recreation	0	1,000											
	health protection	1,000	1,000											
	other	6,000	2,000											
11	education	0	2,000								0	17,000	/	no
	recreation	0	2,000											
	health protection	0	1,000											
	other	0	12,000											
12	education	1,000	1,500	500	1,000	500	1,000				5,000	13,000	no	yes
	recreation	0	1,000	0	1,000	0	1,000							
	health protection	500	500	500	500	500	500							
	other	500	2,000	500	2,000	500	1,000							
13	education	3,000	0	4,000	2,000						18,000	8,000	yes	no
	recreation	2,000	0	2,000	2,000									
	health protection	500	0	500	1,000									
	other	3,000	0	3,000	3,000									
14	education	0	0	1,000	2,000						3,500	5,500	yes	no
	recreation	0	0	1,000	1,000									
	health protection	0	0	500	500									
	other	0	0	1,000	2,000									

15	education	0	1,000									3,000	5,000	yes	no
	recreation	500	1,000												
	health protection	500	1,000												
	other	2,000	2,000												
16	education	0	0									7,500	4,000	yes	no
	recreation	0	1,000												
	health protection	1,500	1,000												
	other	6,000	2,000												
17	education	2,000	2,000	1,000	2,000	1,000	2,000					7,000	18,000	yes	no
	recreation	0	1,000	0	1,000	0	1,000								
	health protection	0	1,000	0	1,000	0	1,000								
	other	1,000	2,000	1,000	2,000	1,000	2,000								

V. THE AVERAGE MONTHLY INCOME AND THE REGULAR MONTHLY EXPENSES OF THE FAMILIES/ HOUSEHOLDS OF WOMEN WHO HAVE SUFFERED DOMESTIC VIOLENCE

Ten of the women and household members living with them after the separation/divorce do not have enough income, including social assistance, to cover the total monthly expenses (Table 24).

Namely, the total expenses of these women exceed the average monthly income, including social assistance (column 8 of table 24 colored in red). That difference ranges from 3,750 MKD to 19,250 MKD. In five of the cases, the costs are far above the average household income (column 9 in parentheses are indicated the amount of the funds that women need to be able to cover their monthly expenses – expressed in column 7). Or, in six cases, the costs are far above the average household income.

Otherwise, if we talk about the individual costs that make up the regular monthly costs, the highest are those related to food and the cost of repaying a loan or rent. Overhead and other expenses represent a smaller part of the regular monthly expenses. Nine out of a total of 17 women and the households in which they live have an obligation of this kind. According to the possibilities, the monthly food costs usually depend on the other costs that must be paid, so these costs range from 4,000 MKD to 15,000 MKD, but usually amount to 7,000 to 10,000 MKD.

For six out of 10 women, the support determined by the court is not paid at all. If paid, it will help the living conditions of these households. For four of the women, it is paid late, among which in one case with a smaller amount. It is certainly good for these women to receive payment on time and in the exact amount of support determined by the court.

Table 24: Monthly expenses, average monthly income, and regular payment of support

Woman (1)	No. of members (2)	food costs (3)	loan / rent costs (4)	overhead costs (5)	other costs (6)	Total (7)	total monthly income, including women's social assistance (8)	average monthly income, including social assistance based on category (9)	Regularity in the payment of support (10)
1	2	7,000	/	5,000	3,000	15,000	7,501-15,000	11,250 (-3,750)	does not pay at all
2	3	7,000	9,000	4,000	2,000	22,000	7,501-15,000	11,250 (-10,750)	with a delay, but in the specified amount
3	7	10,000	/	6,000	4,000	20,000	30,001 - 45,000	37,500	does not pay at all
4	5	6,000	/	3,000	1,000	10,000	7,501-15,000	11,250	pays in the specified amount
5	8	8,000	/	5,000	/	13,000	15,001 - 30,000	22,500	does not pay at all
6	2	6,000	/	4,000	1,000	11,000	3,001 - 7,500	5,000 (-6,000)	does not pay at all
7	4	4,000	9,000	5,000	2,000	20,000	7,501-15,000	11,250 (-8,750)	does not pay at all
8	4	8,000	2,000	5,000	0	15,000	7,501-15,000	11,250 (-3,750)	does not pay at all
9	2	8,000	6,500	5,000	2,000	21,500	15,001 - 30,000	22,500	with a delay, but in the specified amount
10	2	7,000	6,000	3,000	3,000	19,000	15,001 - 30,000	22,500	pays in the specified amount
11	3	9,000	12,000	6,500	3,000	30,500	7,501-15,000	11,250 (-19,250)	does not pay at all
12	4	10,000	9,000	4,000	1,000	24,000	15,001 - 30,000	22,500 (-1,500)	with a delay, but in less than the specified amount
13	3	9,000	9,000	4,000	2,000	24,000	3,001 - 7,500	5,000 (-19,000)	does not pay at all
14	5	9,000	/	5,000	3,000	17,000	15,001 - 30,000	22,500	with a delay, but in the specified amount
15	4	8,000	10,000	4,000	2,000	24,000	7,501-15,000	11,250 (-12,750)	with a delay, but in the specified amount
16	5	10,000	/	7,000	3,000	20,000	30,001 - 45,000	37,500	/
17	5	15,000	/	8,000	5,000	28,000	15,001 - 30,000	22,500 (-5,500)	with a delay, but in less than the specified amount

* red field means that the average household / household income is below the monthly expenses, and green means above them.

Practically two-thirds of women cannot cover their monthly expenses and the social assistance they receive does not help them. More than a third of women need significant additional funds in the amount of MKD 6,000 (EUR 100) to MKD 19,250 (EUR 310) to be able to cover their monthly expenses. Regularity and completeness in the payment of alimony will especially contribute, therefore it is essential for the normal life and survival of women who have suffered domestic violence and their children, and especially this is the case with six women who do not receive alimony at all, and whose monthly costs are higher of the average monthly income including social assistance.

In other words, at the moment all the living expenses of women and their children are borne by only one parent. The parent who is in charge of paying the alimony by either not paying it or paying it late and a smaller amount does not contribute to meeting the needs of the children in a way determined by the court. This fact and the fact that there are possibilities for determining a higher amount of support by the court gives us the right to propose a serious consideration of these two issues and find appropriate solutions by the state and those responsible.



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