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SCIENTIFIC AND PRACTICAL PROBLEMS OF IMPLEMENTATION OF THE PROVISIONS OF THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE IN THE NATIONAL LEGISLATION OF UKRAINE

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*The purpose of the article substantiates the socio-political significance of Ukraine’s ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence and the relevance of legal scientific developments to determine the best ways to implement the provisions of this regulatory document. **Research methods:** in accordance with the purpose of the study, during the work on the article, such general scientific methods as the hypothetical-deductive method, analysis and induction were used. In addition, special methods were also applied, first of all – theoretical and legal and specially-legal, which provided coverage of the situation regarding the ratification of this international legal document through a political and legal prism and with the use of legal terminology. The method of integrative cognition analyzed the dialectic of normative-legal and organizational support for combating violence against women and domestic violence in the works of foreign and Ukrainian scientists. **The results:** legal studies on the introduction of the convention in different European countries are summarized. It is pointed out the complications that have arisen and determined perspective methods that can be used in Ukraine.*

The studies of Ukrainian legal scholars on the relevance of the implementation of the convention norms in Ukraine, taking into account the existing peculiarities of social relations, are analyzed.

The historiographical aspects that preceded the implementation of the Convention in Ukraine are studied, the stages and main achievements of this work are investigated, changes in the legal field made to achieve this goal are determined.

Attention was drawn to the need to carry out scientific research on the extraterritoriality of the Convention and to resolve issues related to the expansion of Ukraine's jurisdictions to situations of violence against Ukrainian citizens abroad, which is especially important in the situation of forced migration of women and children from Ukraine.

The need to bring the national practice of combating all forms of violence in line with the standards of the Istanbul Convention on the Protection of Victims of Violence, Punishment of Offenders, Proper Prevention and Coordination, taking into account modern social challenges and the continuation of the Russian Federation's large-scale war against Ukraine, is substantiated.

The main ways of implementing the Convention are monitoring the current legislation and improving it in view of compliance with the standards of the Convention, expanding the practices of protecting victims and punishing offenders, increasing attention to preventing and combating violence against children, strengthening cooperation with countries where Ukrainian internally displaced persons are staying in order to combat violence, updating training programs for relevant specialists and deploying relevant information campaign.

Key words: *Council of Europe Convention on preventing and combating violence against women and domestic violence; implementation; protection of victims of violence.*

Problem statement and its relevance. On 20 June 2022, the Verkhovna Rada of Ukraine ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter referred to as the Convention, the Istanbul Convention). The Convention is an important document in the field of human rights protection and gender equality, i.e. the values on which the European Union is based. Ratification of this document was one of the conditions for Ukraine to obtain the status of a candidate country for the EU and at the same time demonstrated that Ukraine shares European values and principles. The continuation of the Russian Federation's war against Ukraine, the large-scale armed invasion in February 2022 only actualized the need to ratify the Convention.

The ratification of the Council of Europe Convention marked both the completion of an important preparatory stage and the deployment of large-scale work on the implementation of European standards for preventing and combating violence against women and domestic violence, which should be based on a deep scientific understanding of this problem, which has long been the object of research in various fields of science.

Methodology. The study is based on the dialectical method, which implies the need for a systematic study of the socio-psychological, political and regulatory situation that has developed in Ukraine in connection with the ratification of the

Council of Europe Convention on preventing and combating violence against women and domestic violence and the need to further deploy measures to implement its provisions.

In accordance with the purpose of the study, during the work on the article, such general scientific methods as the hypothetical-deductive method, analysis and induction were used. The hypothetical-deductive method was used in connection with the forecasting of the effectiveness of measures for the implementation of the Istanbul Convention, analytical-synthetic and inductive methods helped to work out and summarize the ways and effectiveness of the implementation of the provisions of the Convention in European countries. In addition, special methods were also applied, first of all – theoretical and legal and specially-legal, which provided coverage of the situation regarding the ratification of this international legal document through a political and legal prism and with the use of legal terminology. The method of integrative cognition analyzed the dialectic of normative-legal and organizational support for combating violence against women and domestic violence in the works of foreign and Ukrainian scientists.

The study used other general scientific and unique legal methods, which contributed to increasing the complexity, consistency and completeness of the study. The article contains links to 21 sources.

Analysis of research and publications on the problem. Assessing the importance of the Istanbul Convention in terms of pan-European development, we fully agree with the scientific position of Rostyslav Onyshkevych, who, analyzing the problems of the practice of implementing the provisions of the Convention into national legislation, emphasizes the uniqueness of the experience of such implementation in each European country and calls for the analysis and generalization of such experience and its application in accordance with the characteristics of its region, people and gender situation. Also important is the researcher's statement about the creation by the Istanbul Convention of a dispositive variety of options that can be chosen by member-states in the practical implementation of their obligations [1].

It should be noted that given the already mentioned urgency of the issue, as well as the uniqueness and diversity of ways to implement the Convention, the geography of such research is quite wide and covers almost all European countries.

Katrin Lange, Sarah Molter and Marie Wittenius analyze ways to implement the Istanbul Convention in Denmark, Finland and Austria. The researchers emphasize that all three countries, fulfilling their obligations, choose a specialized and high-quality support system for women victims of various forms of violence, which is carried out by non-governmental organizations, funded and partially regulated by the state at the national, regional and even local levels. At the same time, a certain specificity is emphasized, which, in particular, is manifested in the organization of shelters for victims of domestic violence. In Finland, all shelters are coordinated, funded and controlled by the state, and in Denmark and Austria, civil society organizations take care of such shelters. All shelters in Finland and Austria are open around the clock and seven days a week, and in Denmark there are restrictions in this regard [2].

Calin Stanciu's research is devoted to the analysis of measures taken by Romania in the process of harmonization of national legislation with the Istanbul Convention. The author draws attention to the systematic nature of this work, as it is regulated by the relevant National Strategy,

which provides for ensuring the implementation of primary legislation through the adoption of secondary and tertiary legislation, providing quality assistance to all victims, ensuring response measures against those who committed violence, developing cooperation between all actors who must respond to violence, including non-governmental organizations, achieving the goal of "zero tolerance" to domestic violence. Coordination of these measures is entrusted to the National Agency for Equality [3].

The analysis of the implementation of the requirements of the Convention in the practice of combating gender-based violence in the Scandinavian countries confirmed the constructivism and harmonization of Nordic countries' policies in this area, which are based on a single approach, which consists in zero tolerance for violence against women and domestic violence and the definition of freedom from violence as a necessary condition for an equality society. Despite some differences in the tools and measures that dominate different countries, their key focus area is prevention.

At the same time, Elisabeth Stubberud, Karin Hovde and Mari Helenedatter Aarbakke point to the existence of certain risks associated with coordination of efforts in an area where the problem actually extends to different sectors and different responsible parties. Thus, in some Scandinavian countries, the field of combating domestic violence is divided into at least three parts, with three different responsible authorities: sexual health is taken care of by the Ministry of Health, the Ministry of Justice is responsible for the violence committed, and prevention can largely be located in the Ministry of Education.

Overcoming this fragmentation is facilitated by the development and implementation of joint plans to combat violence against women and domestic violence and plans for the implementation of the Istanbul Convention, as practiced by most Scandinavian countries [4].

The study of measures related to the ratification and implementation of the Istanbul Convention in Switzerland makes it possible to assert a systematic approach deployed in this country. Even in preparation for the ratification of the Istanbul

Convention in 2011, Switzerland organized a discussion called the “pre-parliamentary consultation procedure”, which “aims to allow cantons, political parties and interested groups to participate in the formation of opinions and decision-making process of the Confederation” [5].

The very same procedure for implementing the Convention in Switzerland was carried out taking into account the fact that the actions of the state related to the response to cases of domestic violence in this country are largely decentralized. In this regard, Switzerland used a two-tier network of civil servants to implement the Convention at both the federal and cantonal levels. Thus, according to the decision of the federal center, the implementation of the Convention at the cantonal level is carried out using a network of civil servants who act as government coordination centers for human rights (GHRFP) and are responsible for solving the problems of domestic violence.

Significant complications associated with the ratification of the Istanbul Convention arose in Bulgaria. Radosveta Vassileva emphasizes that the debate on this issue has taken on an epic scale and divided in half the specialists and civil society of this country. The sharpness of the controversy led to the withdrawal of the proposal in February 2018 by the Prime Minister of Bulgaria to submit a proposal to ratify this document from the Bulgarian Parliament. Moreover, 75 members of parliament have submitted a request to the Constitutional Court of Bulgaria to establish whether the Istanbul Convention complies with the Bulgarian Constitution, in particular Article 46, which defines marriage as a voluntary union between a man and a woman. As a result, the Constitutional Court ruled on the contradiction of the Convention to the Constitution of Bulgaria, which the author of the study defines as quite controversial. The arguments set out the position of judges on the wider scope of application of the Convention compared to its name, which could jeopardize the rule of law in Bulgaria and the already mentioned incompatibility of its individual provisions with the Constitution of the country. At the same time, criticizing this decision, the author referred to a separate opinion of some judges on the presence of non-legal factors of a political and socially conservative nature,

which led to the publication of such a ruling, as a result of which Bulgarians are deprived of the protection they desperately need [6].

We immediately consider it appropriate to note that, in contrast to the analyzed, and, as established, rather controversial decision of the Constitutional Court of Bulgaria, the highest body of constitutional jurisdiction of Latvia recognized that the provisions of the Istanbul Convention correspond to the Constitution of Latvia. In particular, in the decision in case No. 2020-39-02 "On compliance with Article 3(c), Article 4(3), Article 12(1) of the Council of Europe Convention of 11 May 2011 on preventing and combating violence against women and domestic violence, it established that the scope of the Convention provides only for the elimination of violence against women and domestic violence, and does not impose the adoption or introduction of any specific form of marriage or family. Moreover, the court concluded that gender-based violence still takes place in Latvia and mostly concerns women, therefore, the implementation of special measures against women is necessary and aimed at achieving effective equality between men and women [7].

The urgency of the issue of ratification and implementation of the Istanbul Convention in Ukraine reasonably caused increased attention to this issue of researchers in the field of law. Consistently advocating the need for ratification of this international legal act by the Ukrainian Parliament, such scientists simultaneously consider ways of its further implementation and introduction into law enforcement activities.

Popov justifies the need to ratify the Convention with its relevance, focus on the protection of the rights, freedoms and duties of man and citizen, as well as the results of the study of public opinion on this matter. In addition, scientists have identified ways to introduce this document into law-making and law enforcement activities, namely, bringing procedural legislation in line with the provisions of the Convention and domestic realities, as well as deploying special training for judges, prosecutors, National Police personnel and lawyers on combating domestic violence and training specialists of the relevant specialization [8].

N. Romanyshyn emphasizes the need to ensure coordination and interaction between the ministries of social policy, justice, internal affairs, education and science, health care, other bodies and institutions entrusted with the functions of carrying out measures in the field of prevention and counteraction to domestic violence and gender-based violence and ensuring quick and unimpeded access to them for all those who need help and ensure the protection of the rights of victims, reducing the scale of this phenomenon in Ukraine as a whole [9].

L. Mazepa draws attention to the need to introduce a comprehensive approach to combating violence against women, which is the main task of the Istanbul Convention, monitoring and studying international practice, while focusing on the repressive nature of criminal justice and positioning the criminalization of acts as the last way of influence of the legislator [10].

V. Petrov draws attention to the requirements of the Convention in terms of preventing domestic violence against children, proposing, in particular, the development and implementation of appropriate large-scale preventive measures, the deployment of a system of professional training for specialists working with children in programs related to domestic violence, strengthening the protection and support of children who have witnessed or victims of violence, as well as a scientific study of the problems of domestic violence and justification adequate measures aimed at its prevention [11].

Investigating the problem of bringing the criminal legislation of Ukraine in line with the requirements of the Istanbul and Lanzarote Conventions (Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse), I. Davydovych and K. Zadoia state significant inconsistencies of the provisions of Ukrainian criminal legislation with the requirements of these international documents and propose to make appropriate amendments to the provisions of Chapter IV of the Special Part of the Criminal Code Ukraine [12].

M. Kornienko and A. Berendeeva, stating the existence of a significant number of unregulated or insufficiently regulated in Ukrainian legislation issues on the protection of women from violence,

emphasize that it is the ratification of the Istanbul Convention that will remove these issues and bring national legislation in line with international standards, which will confirm Ukraine's European integration movement and increase its international credibility [13].

The study of the issues of administrative and legal response to the commission of domestic violence by M. Legenka provided grounds for the researcher to fully justify the provision on the relevance and necessity of Ukraine's ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence. The content of this combat is based on the principles of international experience in preventing and combating violence against women and domestic violence and involves the deployment of a system for protecting women from all forms of violence, preventing their persecution, combating and eradicating domestic violence and violence against women, ensuring protection and assistance to all victims of such violence, facilitating, supporting and assisting all organizations and law enforcement agencies in their interaction and deployment of a comprehensive integrated approach to combating the eradication of this phenomenon, as well as promoting international cooperation in this area, which can be effectively used as a legal and strategic basis for the formation and development of relevant national legislation [14].

K. Levchenko persistently and consistently implements the development and formation of gender policy in Ukraine in general and the fight against domestic violence in particular. In addition to purely political and organizational measures, the scientist substantiates the relevance for Ukraine of ratification of the Convention, analyzes and proves the essence of the existing manipulations on this issue [15].

Summary of the main research material. When preparing the ratification draft law by the Government of Ukraine, in order to counteract possible manipulations, an application to the ratification draft law was proposed, which was prepared taking into account the experience of Croatia and other Council of Europe countries that have already ratified the Convention.

“Ukraine recognizes that the purpose of the Convention is to protect women from all forms of violence, prevention, criminal prosecution and elimination of violence against women and domestic violence, which was also committed against men and children (boys and girls).

Ukraine does not consider any of the provisions of the Convention as obliging it to amend the Constitution of Ukraine and the Family Code, other laws of Ukraine on the institutions of marriage, marriage and adoption, as well as interfering with the right of parents to raise their children in accordance with their own beliefs.

Ukraine notes that according to the Constitution of Ukraine, no ideology is recognized by the state as mandatory and not subject to implementation.

Ukraine declares that it will apply the Convention in accordance with the values, principles and norms defined by the Constitution of Ukraine, in particular on the protection of human rights and fundamental freedoms, equality of rights and opportunities for women and men, gender identity, the formation of responsible motherhood and fatherhood, support for the family and the protection of childhood.

Ukraine declares that as a result of the large-scale armed aggression of the Russian Federation, Ukraine’s fulfillment of its obligations under the Convention in the temporarily occupied territories, in the Autonomous Republic of Crimea and the city of Sevastopol is not guaranteed until the full restoration of Ukraine’s constitutional order in these territories. Any bodies, their officials and officials in the temporarily occupied territories, in the Autonomous Republic of Crimea and the city of Sevastopol are illegitimate and their activities are illegal if these bodies are created or persons are elected or appointed in a manner not provided for by the Constitution and the laws of Ukraine, and any acts (decisions, documents) adopted by them are invalid and do not create any legal consequences.” [16].

The path to ratification of the Convention began with its signing by Ukraine in November 2011 without any external pressure that became the consent to its ratification. Further, in accordance with the Constitution of Ukraine and the Law “On International Treaties”, national legislation was

brought into line with it, which should precede the ratification of the international treaty.

This stage of work is well known to practitioners, because it was open and inclusive, was in cooperation with the Government, MPs, international and public organizations. As a result, the Law “On Prevention and Counteraction to Domestic Violence” was adopted (to replace the Law “On Prevention of Domestic Violence”, 2001), amendments were made to the Criminal and Criminal Procedure Codes, and the regulatory framework for their implementation was developed. It is also described in detail in the works of scientists in various fields of law, analyzed by independent experts. The teams of authors have prepared two scientific and practical comments – one to the Law “On Prevention and Counteraction to Domestic Violence” [17], the second one - to the Criminal and Criminal Procedure Legislation [18].

The practical implementation of the Convention took place through the implementation of the above-mentioned laws and the bylaws developed for their implementation. It included the criminalization of violence and ensuring the punishment of offenders, training specialists of all subjects of interaction in cases of domestic violence and gender-based violence, the development of services to assist victims, the creation of the Government hotline 1547 for the prevention of domestic violence and human trafficking, the opening of shelters, a subvention from the State Budget of Ukraine 2021 for the creation and development of assistance services for victims of violence, which was received by 124 communities, etc., conducting information campaigns and debunking myths around the Convention. Unfortunately, much of what has been done has been is now destroyed by Russian troops in Ukraine after Russia’s large-scale invasion of Ukraine in 2022.

At the same time, understanding the importance of further implementation of the provisions of the Convention into legislation and practice will remain relevant. To ensure systematic work in this direction, the Government, together with partners from international and public organizations, has developed a Plan (roadmap) for the implementation of the provisions, standards and principles of the

Istanbul Convention into the legislation and practice of its application. At the same time, special attention was paid to activities aimed at combating various forms of violence against women, as the legislation on combating domestic violence is quite developed in Ukraine. We are talking about attention to the implementation of those provisions of the Convention that relate to the formation of states' obligations to respond to violence against women in particular (rape, forced marriage, forced abortion, forced sterilization, mutilation of female genital organs, crimes for the sake of so-called "honour", persecution, sexual harassment). Practical steps in the activities to improve the legislation were the following:

(1) Updating the conformity assessment of the national legislation of Ukraine with the provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the previous one was made in 2019 by the national expert L. Kozub). Moreover, such an updated assessment includes legislation adopted in 2017, which has been operating for almost 5 years and there is a need to determine which of the current norms are effective and which are not. For example, the idea of the Register of Victims of Domestic Violence and Gender-Based Violence, both in itself and in the form formed in the regulatory documents [19], contradicts the principles of the Istanbul Convention, in particular confidentiality, anonymity and ensuring the interests of victims, and which provides for the need to collect generalized information, not personal data of victims. "The main threat is that the Register contains information on the personal data of victims, witnesses, people who have informed about the crime, and a significant number of people have access to the Register – from officials of the rural, district, city, regional levels – to the minister. This creates a potential danger of disclosure of information about personal data, which may adversely affect the fate of people." [18].

The updated assessment was carried out at the request of the Government of Ukraine and with the support of UN-Women by scientists under the guidance of Doctor of Law, Professor

S.S. Cherniavsky and an expert group under the coordination of M.M. Legen'ka.

(2) Development of proposals for specific steps to further improve the legislation. This work is coordinated by Deputy Prime Minister for European and Euro-Atlantic Integration O. Stefanishyna, who is the Chairman of the Commission for coordination of interaction between executive authorities to ensure equal rights and opportunities for women and men. In particular, proposals such as anticipating the possibility of applying restrictive measures to those who commit violence against women, and not just domestic violence, are currently being considered; criminalization of gender-based violence, stalking (harassment); changing the disposition of the article regarding genital surgery; improvement of Articles 152, 154 of the Criminal Code; elimination of legal conflicts between Articles 152 and 155, 156 of the Criminal Code; inclusion of representatives of the executive service (public and private executors), specialists of consular institutions of Ukraine abroad in the circle of subjects in the field of prevention and counteraction to domestic violence; amending the legislation on local self-government; improving the dispositions of existing articles based on the practice of their application; paying attention to the issues of combating sexual violence during armed conflicts, which is especially important in the context of crimes committed by the Russian military in Ukraine, etc.

Another important area of further work is the implementation of scientific research on the extraterritoriality of the Convention and the resolution of issues related to the expansion of Ukraine's jurisdictions to situations of violence against Ukrainian citizens abroad, which is especially important in the situation of forced migration from Ukraine of citizens, among whom the absolute majority are women and children.

Ensuring the implementation of comprehensive changes to the legislation is possible by creating a joint working group with the involvement of interested Central executive bodies, other state structures and local self-government bodies, people's deputies, scientific institutions and scientists, development partners, international and

public organizations under the coordination of the above-mentioned Commission on interaction of executive authorities to ensure equal rights and opportunities for women and men.

Further attention should be paid to bringing the national practice of combating all forms of violence in line with the standards of the Istanbul Convention. As the content of the Convention revolves around four main pillars: protection of victims of violence, punishment of offenders, proper warning and coordination, they need to be given new attention taking into account modern security threats and the continuation of the Russian Federation's large-scale war against Ukraine. Briefly outline them.

Providing social assistance to all victims of violence. Further development of the network of shelters. Monitoring and analysis of their work and compliance with the principles of the Istanbul Convention. Further development of the redirection system. Providing assistance to victims of the situation of open aggression of the Russian Federation against Ukraine. Increased attention to preventing and combating all types of violence against children. Continuation of the localization process of the Istanbul Convention. Work with communities.

Strengthening bilateral cooperation with countries where Ukrainian internally displaced persons are staying. Implementation of joint measures with countries that have ratified the Istanbul Convention. Regular exchange of experience on the best practice of implementing the provisions of the Istanbul Convention in relation to Ukrainian migrants.

Formation and introduction of a new paradigm of work with offenders, since the existing system of correctional work is not effective.

Work with the military, veterans and their families is actualized as in 2015-2016. Assistance to internally displaced persons.

Updating programs of specialists' training at all levels based on the inclusion of topics related to various aspects of the Istanbul Convention, and not just through training. Inclusion in the job descriptions of specialists of all subjects of interaction in accordance with the Law "On Prevention and Counteraction to Domestic

Violence" of the requirements for knowledge and practical application of the provisions of the Convention and relevant national legislation.

Implementation of information campaigns aimed both at clarifying the provisions of the Istanbul Convention and countering manipulations around it. The latter direction of informing does not lose its relevance, as demonstrated by the speeches of some people's deputies during the discussion of the ratification of the Istanbul Convention, which showed that attempts to discredit it will continue [20]. According to O.A. Dunebabina, researcher of the issue of Russian manipulations around human rights and gender issues, "most of these manipulations are identical with the narratives of the Russian anti-gender and anti-democratic movement, which Russia distributed not only in Ukraine, but also in other European countries, in particular Bulgaria, Armenia, Lithuania, Latvia and Hungary, Georgia, Moldova" [21].

A year after the ratification of the Convention, the Council of Europe will begin monitoring the state of its implementation, which is carried out by the monitoring body of the GREVIO Convention – the Council of Europe Group of Experts on the Prevention of Violence against Women. Preparation for the first monitoring round includes training sessions for representatives of all responsible actors with the participation of GREVIO members and national and international experts.

Conclusions. Ukraine's ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence has become an important step in ensuring the counteraction to domestic violence and gender-based violence and the inclusion of our society in European values and standards. The member states of the Convention have gained considerable experience in this direction, the analysis and application of which can increase the effectiveness of public policy in Ukraine. Numerous scientific researches of Ukrainian scientists devoted to substantiating the necessity and expediency of ratification of this document, as well as determining ways of its implementation in law-making and law enforcement practice contributed to both the

ratification itself and the definition of further steps in this direction.

This article is actually the first scientific attempt to summarize the scientific work of European and Ukrainian scientists after Ukraine's ratification of the Istanbul Convention, which was used to prepare for ratification and can be the basis for the implementation of further deployment of state-legal and socio-political measures for its implementation. Taking into account these theoretical provisions, specific ways of introducing the Convention have been proposed, namely, monitoring the already adopted legislation on combating domestic violence and improving it in view of compliance with the standards of the Convention, improving practices for protecting victims of violence and punishing offenders, increasing attention to preventing and combating all types of violence against children, strengthening bilateral cooperation with the countries in which they are located Ukrainian internally displaced persons in order to combat violence, update training programs for relevant specialists and launch an information campaign aimed at explaining the provisions of the Istanbul Convention and countering manipulation around it.

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НАУКОВІ ТА ПРАКТИЧНІ ПРОБЛЕМИ ІМПЛЕМЕНТАЦІЇ ПОЛОЖЕНЬ КОНВЕНЦІЇ РАДИ ЄВРОПИ ІЗ ЗАПОБІГАННЯ НАСИЛЬСТВУ СТОСОВНО ЖІНОК І ДОМАШНЬОМУ НАСИЛЬСТВУ ТА БОРОТЬБУ ІЗ ЦИМИ ЯВИЩАМИ ДО НАЦІОНАЛЬНОГО ЗАКОНОДАВСТВА УКРАЇНИ

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Мета статті: у статті обґрунтовується суспільно-політичне значення ратифікації Україною Конвенції Ради Європи про запобігання та боротьбу з насильством щодо жінок і домашнім насильством та актуальність науково-правових розробок для визначення оптимальних шляхів реалізації положень цього нормативного документа. **Методи дослідження:** відповідно до мети дослідження під час роботи над статтею використовувалися такі загальнонаукові методи, як гіпотетико-дедуктивний, аналіз та індукція. Крім того, застосовувалися й спеціальні методи, насамперед – теоретико-правові та спеціально-правові, які передбачали висвітлення ситуації щодо ратифікації міжнародно-правового документа крізь політико-правову призму та з використанням юридичної термінології. Методом інтегративного пізнання проаналізовано діалектику нормативно-правового та організаційного забезпечення протидії насильству над жінками та домашньому насильству в працях зарубіжних та українських учених. **Результати:** узагальнено правові дослідження щодо запровадження конвенції в різних країнах Європи. Вказано на ускладнення, що виникли, та визначено перспективні методи, які можуть бути використані в Україні.

Проаналізовано дослідження українських правознавців щодо актуальності імплементації конвенційних норм в Україні з урахуванням існуючих особливостей суспільних відносин. Досліджено історіографічні аспекти, що передували імплементації Конвенції в Україні, визначено етапи та основні досягнення цієї роботи, а також зміни у правовому полі, здійснені для досягнення цієї мети.

Звернуто увагу на необхідність проведення наукових досліджень щодо екстериторіальності Конвенції та вирішення питань, пов'язаних із розширенням юрисдикції України на ситуації насильства щодо громадян України за кордоном, що є особливо важливим у ситуації вимушеної міграції жінок та дітей з України.

Обґрунтовано необхідність приведення національної практики боротьби з усіма формами насильства у відповідність до стандартів Стамбульської конвенції про захист жертв насильства, покарання правопорушників, належну профілактику та координацію з урахуванням сучасних соціальних викликів та широкомасштабної війни російської федерації проти України.

Основними шляхами імплементації Конвенції визначено моніторинг чинного законодавства та його вдосконалення на відповідність стандартам Конвенції, розширення практик захисту жертв та покарання правопорушників, посилення уваги до запобігання та протидії насильству над дітьми, зміцнення співпраці з країнами, де перебувають українські внутрішньо переміщені особи з метою протидії насильству, оновлення програм підготовки відповідних спеціалістів та розгортання відповідної інформаційної кампанії.

Ключові слова: Конвенція Ради Європи про запобігання та боротьбу з насильством щодо жінок і домашнім насильством; виконання; захист жертв насильства.

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