

## European experience of prevention and combating domestic violence

*Experiencia europea de prevención y lucha contra la violencia doméstica*

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**Abstract:** The relevance of the study is due to the fact that the protection of women's rights from domestic violence is a subject actively discussed in the 21st century in all European countries. Fighting against domestic violence has become especially important in the context of the COVID-19 pandemic, when spending a long time at home has led to an increase in the number of complaints about domestic violence. The aim of the article is to analyse international legal instruments aimed at preventing and fighting domestic violence to summarize the relevant experience of individual European states. During the research, general scientific and special methods of scientific knowledge were applied, namely: structural system, comparative and formal or legal methods, and the interpretation of law method. The article presents the results of the international legal principles of prevention and counteraction to domestic

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violence study as well as it reveals the features of prevention and counteraction to domestic violence in European States and analyses the activities of nongovernmental organizations on the prevention and combating of domestic violence. The materials of the article are useful for scientists and practitioners dealing with the prevention and combating domestic violence, planning, and forecasting further research, improving legislation on prevention, and combating domestic violence as well as higher education teachers, applicants, and for all people interested in the topic.

**Keywords:** Women's rights, human rights, domestic violence, international law, counteraction to violence, public institutions.

**Resumen:** La relevancia del estudio se debe al hecho de que la protección de los derechos de las mujeres frente a la violencia doméstica es un tema que se debate activamente en el siglo XXI en todos los países europeos. La lucha contra la violencia doméstica se ha vuelto especialmente aguda en el contexto de la pandemia de COVID-19, cuando la permanencia prolongada en casa ha provocado un aumento del número de denuncias de violencia doméstica. El objetivo del artículo es analizar los instrumentos legales internacionales destinados a prevenir y combatir la violencia doméstica para resumir la experiencia relevante de los Estados europeos individuales. Durante la investigación se aplicaron métodos científicos generales y especiales de conocimiento científico, a saber: métodos sistémicos estructurales, comparativos, formales-legales y el método de interpretación del derecho. El artículo presenta los resultados del estudio de los principios legales internacionales de prevención y lucha contra la violencia doméstica, revela las características de la prevención y lucha contra la violencia doméstica en los Estados europeos y analiza las actividades de las organizaciones no gubernamentales en materia de prevención y lucha contra la violencia doméstica. Los materiales del artículo son útiles para los científicos y profesionales que se ocupan de la prevención y el combate contra la violencia doméstica, para planificar y pronosticar futuras investigaciones, mejorar la legislación sobre prevención y lucha contra la violencia doméstica, para profesores y solicitantes de educación superior, y para todos los interesados en el tema.

**Palabras clave:** Derechos de las mujeres, derechos humanos, violencia doméstica, derecho internacional, lucha contra la violencia, instituciones públicas.

## 1. Introduction

Since the spread of the COVID 2019 pandemic, officials around the world have emphasized that the safest place for a person is his/her home. Paradoxically, for many women, it is the home that poses a potential danger. A 2019 study by the United Nations Office on Drugs and Crime found that 50,000 women worldwide were killed by intimate partners or family members in the previous year, corresponding to 137 women killed daily by members of their own family<sup>6</sup>. While homicide is an extreme form of violence, women experience multiple types of domestic violence, including physical, psychological, reproductive, economic and sexual violence from intimate partners and family members.

Domestic violence against a woman is either an intentional unlawful act or omission as well as threat of an act or omission of a psychological, economic, physical, sexual, or other nature, *i. e.* any act of violence against a woman with the intention of causing her moral or material harm or exercising power and control over her in the family<sup>7</sup>.

Domestic violence is currently recognized as the world's most common human rights violation, which is defined as an extreme form of gender inequality. Feminist-oriented researchers<sup>8</sup>, based on the position of gender asymmetry, believe that power and gender relations are the main factors of domestic violence. From their point of view, it is men who most often commit violence against women, and not vice versa. It is believed that women can use violence only for self-defence. According to other researchers<sup>9</sup>, there is a gender symmetry in the motives and frequency of violence in family relationships. It should be noted that women more often than men use quite simple and safe forms of violence, in addition, men often commit sexual violence<sup>10</sup>. Safe violence means situations where the consequences and impact on the victim and the community are minimized<sup>11</sup>. The main purpose of safe violence is to ensure the safety and security of victims of violence, to reduce the damage caused to their physical and psychological well-being, and to enable them to maintain control over their own lives<sup>12</sup>. However, it is important to emphasize that safe violence is not intended to justify violence or support its existence.

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6 Wilson-McDonald (2021): "Combating violence against women in the Czech Republic: Beyond the Coronavirus. BRNOdaily". [Retrieved from: <https://brnodaily.com/2020/05/31/brno-daily-recommends/combating-violence-against-women-in-the-czech-republic-beyond-the-coronavirus/>]. [Date of access: 12 September 2023].

7 Britchenko and Cherniavska (2019), pp. 134-147.

8 Walker (2009).

9 Hug and Hirt (2013).

10 Pertseva and Ohorenko (2021).

11 Britchenko and Cherniavska (2019), pp. 134-147.

12 Levchenko *et al.* (2021), pp. 6-13.

In 2011, the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter - the Istanbul Convention) was signed in Istanbul, having become one of the most progressive international instruments against domestic violence. The purpose of the Istanbul Convention is to prevent domestic violence in the family against girls, children (as witnesses) and even men. Analysing the preamble of the Istanbul Convention, we see that the member states of the Council of Europe<sup>13</sup> recognize that, compared to men, women and girls constitute a risk group for causing gender-based violence; domestic violence affects women disproportionately. Although, men can also be victims of domestic violence, children could be both victims and witnesses of domestic violence as well. That is why the countries that have signed the Convention are striving to make Europe free from domestic violence.

Apart from that, given the global nature of violence against women, the UN General Assembly recommended that the governments of all countries condemn violence against women. In consequence, the countries should eliminate it by all appropriate means, including establishing sanctions for crimes against women and implementing a system of emergency measures for protecting women from criminal attacks. Following these general recommendations, a number of measures to prevent violence have been implemented in the European countries. For example, In France, within the framework of the National Program to Combat violence against women and domestic violence for 2007-2010, there was an active campaign against domestic violence. It was stipulated by the adoption of the Law “On the strengthening of prevention and punishment for violence in the family or against minors” of 4 April 2006. As a result, mental violence was recognized as a crime.

Moreover, in the UK, legal counteraction to domestic violence is regulated by Domestic Violence, Crime and Victims Act 2004. Besides, Poland’s legal and regulatory framework qualifies domestic violence as a criminal offense within the scope of the Criminal Codes of Poland.

It is also interesting to mention the Law “On Protection from domestic violence” (Gewaltsschutzgesetz) by the Federal Republic of Ukraine. According to this Law, there is a ban on staying and entering the house and the impossibility of staying near it, as well as restrictions on contacts with children, women or other persons, which has become a victim of domestic violence. The practice of the expulsion of a person who has committed violence in the family is also common in other EU cases, such as Austria, Spain, the Netherlands, the Czech Repu-

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13 Council of Europe (2013): “Council of Europe Convention on preventing and combating violence against women and domestic violence. Istanbul Convention: A handbook for members”. [Retrieved from: <https://rm.coe.int/168046e60a>]. [Date of access: 12 September 2023].

blic, Sweden, and the United Kingdom<sup>14</sup>.

Furthermore, In the US, there is a similar mechanism for preventing domestic violence, *i. e.* security orders. An extraordinary security order is issued without a judicial meeting, in case of an appeal of the victim to the police. In addition to the security orders, other mechanisms are used to counter domestic violence in the United States, such as the specialized courts, which consider cases of domestic violence. Such specialization allows to consider cases of domestic violence quicker and more effectively. Apart from that, to prevent violence, a mandatory response strategy was implemented. Thus, medical institutions are obliged to report any facts of violence<sup>15</sup>.

It is important to recognize that children are also victims of domestic violence. Domestic violence in the family can affect them physically, emotionally, and psychologically, and its impact on children is particularly dangerous in the long term. Almost all children who have suffered from abuse and neglect have experienced mental trauma, as a result of which they develop certain personality, emotional and behavioural characteristics that negatively affect their future life. Children who have experienced various kinds of violence become aggressive themselves, and their aggression is most often directed at weaker children, younger children, and animals. Often their aggression is manifested when playing, and sometimes their outbursts of anger have no obvious cause. The result of child abuse is a double loss one for the victim and the other one for the society. Children who have experienced any kind of violence experience difficulties in socialization because they have no connection with adults, lack the necessary skills to communicate with their peers, do not have a sufficient level of knowledge and erudition to win the respect of the school, etcetera<sup>16</sup>.

Family violence on women is characterized by the following features. First of all, it is a violent illegal act (action, inaction) or a threat to commit it that is done intentionally. Secondly, the injured person is a woman who is or was with the offender in close relations, kinship, or actual marital relations, regardless of whether the offender has lived with the injured person. Thirdly, domestic violence can be physical, psychological, economic or sexual. Moreover, it violates the rights and freedoms of the victim; for example, the right to life, the right not to be subjected to torture and other ill-treatment or punishment, the right to equal protection by law, the right to equality in the family, the right to the highest level of health (physical and mental). In addition, domestic violence causes physical injuries (bruises, fractures, bites), moral suffering (shame, fear, depression, underestimation of self-esteem), and material dama-

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14 Zugravu *et al.* (2023), pp. 457-466.

15 Dashkovska (2004), pp. 198-204.

16 Britchenko; Romanchenko and Hladkyi (2019), pp. 88-109.

ge (seizure of part of the joint property).

The consequences of violence are material loss (theft of funds, seizure of jointly acquired property), injuries (bruises, subluxations, etc.), low emotional state (fear, depression, shame, resentment). The most common forms of domestic violence are verbal abuse (50 %), followed by sexual harassment (40 %), physical violence (36 %), denial of basic needs (35 %) and denial of means of communication (30 %) <sup>17</sup>. As Savchenko <sup>18</sup> indicates, in the globalized world it has become clear that without studying positive foreign experience it is impossible to develop national legislation. Therefore, analyzing a positive experience of European countries is important for Ukraine since it helps bring Ukrainian legislation closer to the legal systems of the EU countries <sup>19</sup>.

It is impossible to effectively combat domestic violence in one country, ignoring the experience of other states. Therefore, it is necessary to conduct a comparative analysis of European legislation on the prevention and combating domestic violence. Different in mentality, socio-economic, religious structure of the European Union countries were chosen, which allows more broadly and thoroughly draw conclusions to improve the legislative framework of Ukraine in view of its European integration course. In particular, the following countries were selected for the analysis: Bosnia and Herzegovina, Great Britain, Germany, Poland, Ukraine, France, Switzerland, Czech Republic. Switzerland, despite not being an EU member state, is also interesting for analysing their anti-domestic violence policy.

The purpose of this study is to analyse international legal documents aimed at preventing and combating domestic violence, and summarize the relevant experience of individual European states, which will be useful in improving legislation on the prevention and fighting against domestic violence. Thus, carrying out the analysis of the world practice of countering domestic violence, two areas can be identified. The first one is restorative-pacifying, which is focused on the preservation of the family by resolving intra-family conflicts and covering mediation technologies and correctional programs (medical and psychological). The second one is punitive, aimed at breaking the cycle of violence by conflict termination between the parties to the conflict.

The study of the issue was conducted in several stages. At the initial stage, theoretical generalization of existing methodological approaches in the legal scientific literature, dissertations and monographs of domestic and foreign scientists on the research issues was carried

17 UN Women (2022). [Retrieved from: <https://www.unwomen.org/en/about-us>]. [Date of access: 12 September 2023].

18 Savchenko (2007).

19 Osiejewicz (2017), pp. 361-375.

out. At the second stage, the international legal framework for prevention and counteraction to domestic violence was studied. The features of prevention and counteraction to domestic violence in certain European States (Bosnia and Herzegovina, Great Britain, Germany, Poland, Ukraine, France, Switzerland, Czech Republic) were analysed. During the third stage the analysis of the activities of public organizations and their role in preventing and combating domestic violence were investigated. The final stage consisted in summing up the results of the study, drawing up conclusions, systematizing and summarizing the obtained results.

## 2. Literature Review

There has been a significant number of studies in the prevention of domestic violence. For example, research on international experience in prevention and combating domestic violence was carried out. In this study, the experience of selected Anglo-Saxon countries (USA, Great Britain, Australia), countries of Western Europe (Germany, France, Switzerland), Eastern continental Europe (Czech Republic, Slovakia) and countries of the former USSR was investigated<sup>20</sup>. The main areas of study were public policy, legal regulation, successful development of prevention and combating domestic violence in the activities of state, law enforcement agencies and NGOs. As a result of this research, some proposals for a systematic improvement of combating domestic violence in Ukraine were made. For example, it was suggested to create an interdepartmental specialized bureau aimed at coordinating the joint activities of the subjects involved in combating domestic violence. In addition, the creation of educational programs would increase the citizens' awareness of the importance to combat domestic violence.

Furthermore, it is important to analyse the experience of Germany, France, Spain and Poland in order to draw a conclusion that a variety of preventive educational programs aimed at counteraction of domestic violence occupy an important place in effective combating domestic violence. Summarizing the experience of foreign countries (Denmark, Germany, Poland, Spain) in the field of protection of children from violence, Lesko noted that this work is carried out in the following areas: development and adoption of national laws, development of state and local programs aimed at the prevention of violence against children; the creation of a single control body in the field of protection of children from violence; and the active public participation in the field of protection of children from violence.

Another study<sup>21</sup> focused on gender differences in fear of domestic violence in Europe. In

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20 Jobard (2023), pp. 83-106.

21 Sardak *et al.* (2021), pp. 126-142.



their scholar work, the authors analysed the definition, prevalence, characteristics, consequences of various forms of gender-based violence against women. At the same time, the focus was on intimate partner's violence against women, which is the most common form of violence against women worldwide and has consequences for their general well-being. Exploring the European experience in the field of domestic violence, Sobko<sup>22</sup> reveals the main normative legal acts of states that have developed effective means of prevention of domestic violence. According to the author, the eviction of an offender from a common residence is one of the most effective means of combating domestic violence.

Moreover, the UN model legislation on domestic violence was analysed in another study<sup>23</sup>. As a result, the legislative experience in combating domestic violence in European countries was summarized in order to identify opportunities for improving Ukrainian legislation. Having studied the practice of combating domestic violence in Eastern Europe, it was concluded that, in general, the action plans aimed at prevention of domestic violence in some countries of Eastern Europe (Czech Republic, Slovakia and Poland) are based on four areas, namely: actual assistance to victims of domestic violence; work with perpetrators of domestic violence; educational work for employees who have contact with victims of domestic violence; and dissemination of information about the state of domestic violence in order to prevent it and change the attitude of society towards this negative phenomenon<sup>24</sup>.

In a similar vein, the experience of foreign countries on the organization and functioning of entities that carry out activities in the field of prevention and combating domestic violence was studied<sup>25</sup>. It was noted that in countries of the Anglo-American and Romano-Germanic legal systems, the process of improving legislation on prevention of domestic violence is at the stage of development. It is accompanied by the imposition of more severe sanctions, the creation of specialized units of public administration and the search for a mechanism to combat domestic violence. It was concluded that Ukrainian legislation is less severe in relation to offenders compared to countries of the Anglo-American and Romano-Germanic legal systems.

In addition, the analysis of special measures aimed at the prevention of domestic violence in Austria and Belgium as well as the possibility of their application in the activities of the National Police of Ukraine which allowed to establish that the experience of these countries

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22 Sobko (2019), pp. 85-88.

23 Good practices in legislation on violence against women (2008): "United Nations Division for the Advancement of Women United Nations Office on Drugs and Crime". [Retrieved from: [https://www.un.org/womenwatch/daw/egm/vaw\\_legislation\\_2008/Report%20EGMGPLVAW%20%28final%2011.11.08%29.pdf](https://www.un.org/womenwatch/daw/egm/vaw_legislation_2008/Report%20EGMGPLVAW%20%28final%2011.11.08%29.pdf)]. [Date of access: 12 September 2023].

24 Lesch (2023).

25 Smartt and Kury (2023), pp. 1263-1280. Lotzin *et al.* (2023), pp. 920-929.



should be applied in Ukraine<sup>26</sup>. However, national mental characteristics along with historical and socio-economic aspects should be taken into account. At the same time, the individuality of each case of domestic violence, the identity of the offender and the victim makes the practice of exclusively criminal punishment common in Belgium, but unacceptable for Ukraine<sup>27</sup>.

## 2.1. INTERNATIONAL LEGAL FRAMEWORK FOR PREVENTION AND COUNTERACTION TO DOMESTIC VIOLENCE

The actual basis of any activity and legal relations requires legal regulation, which is understood as the imperious influence on social relations carried out by the state with the help of all legal methods, with the aim of their streamlining, consolidation, protection, and development<sup>28</sup>. International legal framework for prevention and combating domestic violence can be defined as a system of legal norms that contains legal, organizational, administrative, preventive, and other measures taken by international institutions, state bodies and non-governmental organizations aimed at preventing and combating any manifestations of domestic violence.

A number of international resolutions and instruments are devoted to women's rights, including: the Universal Declaration of Human Rights of December<sup>29</sup>; Declaration on the Elimination of Discrimination against Women<sup>30</sup>; Convention on the Elimination of All Forms of Discrimination against Women<sup>31</sup>; General Recommendations of the UN Committee on the Elimination of Discrimination against Women No CEDAW/C/GC/3<sup>32</sup>; the UN Declaration on the Elimination of Violence against Women<sup>33</sup>; Beijing Declaration and Platform<sup>34</sup>; A fra-

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26 Buriak (2021), pp. 67-73.

27 Brink *et al.* (2023), pp. 1058-1063.

28 Rabinovych (2001).

29 United Nations (1948): "Universal declaration of human rights". [Retrieved from: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>]. [Date of access: 12 September 2023].

30 United Nations (1967): "Declaration on the elimination of discrimination against women". [Retrieved from: [https://www.eods.eu/library/UNGA\\_Declaration%20Women\\_1967\\_en.pdf](https://www.eods.eu/library/UNGA_Declaration%20Women_1967_en.pdf)]. [Date of access: 12 September 2023].

31 United Nations (1979): "Convention on the elimination of all forms of discrimination against women New York, 18 December 1979". [Retrieved from: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>]. [Date of access: 12 September 2023].

32 United Nations (2017): "General Recommendations of the UN Committee on the elimination of discrimination against women No CEDAW/C/GC/3, 26 July 2017". [Retrieved from: <https://www.ohchr.org/en/treaty-bodies/cedaw/general-recommendations>]. [Date of access: 12 September 2023].

33 United Nations (1993): "Declaration on the elimination of violence against women". [Retrieved from: [:https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.21\\_declaration%20elimination%20vaw.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.21_declaration%20elimination%20vaw.pdf)]. [Date of access: 12 September 2023].

34 Fourth UN International Conference on Women (1995): "Beijing Declaration and Platform". [Retrieved from: <https://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf>]. [Date of access: 12 September 2023].

mework for model legislation on domestic violence<sup>35</sup>; Resolution A / HRC / 7 / L.22 / REV “On the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”<sup>36</sup>.

The main documents of the Council of Europe that directly or indirectly deal with the counteraction to domestic violence include the following ones: the Convention for the Protection of Human Rights and Fundamental Freedoms<sup>37</sup>, European Social Charter<sup>38</sup>; Council of Europe Convention on Action against Trafficking in Human Beings<sup>39</sup>; Recommendation No. R (85) 4 of the Committee of Ministers to member states on violence in the family<sup>40</sup>; Recommendation No. R (90) 2 of the Committee of Ministers of the Council to member states on social measures concerning violence within the family<sup>41</sup>; Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence<sup>42</sup>; Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as the Istanbul Convention)<sup>43</sup>; General recommendation No CEDAW/C/GC/35 on gender-based violence against women, 26 July 2017<sup>44</sup>.

As it is known, the Istanbul Convention is one of the most prominent international acts aimed at combating domestic violence. It is currently signed by 47 countries, of which 34 countries have already ratified the Convention. With regard to reservations, Member States

35 United Nations (1996): “A framework for model legislation on domestic violence”. [Retrieved from: <http://hrlibrary.umn.edu/commission/thematic52/53-add2.htm>]. [Date of access: 12 September 2023].

36 United Nations (2008): Resolution A / HRC / 7 / L.22 / REV 1 “On promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”. [Retrieved from: <https://digitallibrary.un.org/record/623527>]. [Date of access: 12 September 2023].

37 Council of Europe (1950): “Convention for the protection of human rights and fundamental freedoms”. [Retrieved from: [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)]. [Date of access: 12 September 2023].

38 Council of Europe (1996): “European Social Charter”. [Retrieved from: [https://www.cvce.eu/en/obj/revised\\_european\\_social\\_charter\\_strasbourg\\_3\\_may\\_1996-en-bcb7bcd5-60c2-41d7-aa90-ba6fa8a59f69.html](https://www.cvce.eu/en/obj/revised_european_social_charter_strasbourg_3_may_1996-en-bcb7bcd5-60c2-41d7-aa90-ba6fa8a59f69.html)]. [Date of access: 12 September 2023].

39 Council of Europe (2005): “Council of Europe Convention on Action against Trafficking in Human Beings”. [Retrieved from: <https://rm.coe.int/168008371d>]. [Date of access: 12 September 2023].

40 Council of Europe (1985): “Recommendation No. R (85) 4 of the Committee of Ministers to member states on violence in the family”. [Retrieved from: <https://rm.coe.int/16804f120d>]. [Date of access: 12 September 2023].

41 Council of Europe (1990): “Recommendation No. R (90) 2 of the Committee of Ministers of the Council to member states on social measures concerning violence within the family”. [Retrieved from: [https://www.arch.ms.gov.pl/Data/Files/\\_public/ppwr/akty\\_prawne/miedzynarodowe/rekomendacja-nr-r-90-2-.pdf](https://www.arch.ms.gov.pl/Data/Files/_public/ppwr/akty_prawne/miedzynarodowe/rekomendacja-nr-r-90-2-.pdf)]. [Date of access: 12 September 2023].

42 Council of Europe (2002): “Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence”. [Retrieved from: [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805e2612](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805e2612)]. [Date of access: 12 September 2023].

43 Council of Europe (2011): “Council of Europe Convention on preventing and combating violence against women and domestic violence”. [Retrieved from: <https://rm.coe.int/168008482e>]. [Date of access: 12 September 2023].

44 General recommendation No. 35 (2017): “On gender-based violence against women, updating general recommendation No. 19 (1992)”. [Retrieved from: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2017-gender-based>]. [Date of access: 12 September 2023].

have the right to make reservations to certain provisions of the Convention at the time of its ratification. Reservations may limit or exclude certain obligations established by the Convention in accordance with the domestic law of the State<sup>45</sup>. However, it is important to note that reservations should not contradict the general principles and purpose of the Convention.

It is worth noting that the Istanbul Convention has become the subject of debate in some countries, and some states have decided not to ratify it or withdraw their ratification due to political or cultural circumstances. It is no secret that in countries that have not ratified the Istanbul Convention, it is widely believed that the latter does not correspond to the so-called “traditional foundations”, which are also based on gender stereotypes. We believe that the significance and uniqueness of the Convention lies in the fact that it recognizes violence against women as both a discriminatory violation and a violation of human rights.

The Istanbul Convention adapted the 4-P approach (Prevention, Protection, Prosecution, Policy integration)<sup>46</sup> by establishing that the parties to the Convention commit themselves to prevent gender-based violence, protect against gender-based violence, prosecute gender-based violence, and implement policy integration. This means that overcoming violence against women is possible not only through criminal and procedural mechanisms, but also through integrated policies aimed at introducing substantive equality between women and men<sup>47</sup>. The Istanbul Conference highlighted the main means of combating domestic violence:

- conducting public awareness campaigns on violence against women and domestic violence, developing “zero tolerance” for all forms of violence;
- implementing educational activities at all school levels;
- providing or strengthening appropriate training for professionals dealing with victims or perpetrators on the prevention of revictimization, equality between women and men, the needs and rights of victims;
- implementing programs focused on training perpetrators of lawful behavior in social relations. They must be carried out by specialists who have been properly trained;
- involvement of the media and private sector to overcome the stereotypes about family roles and responsibilities.

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45 Inshyn *et al.* (2021), pp. 265-279.

46 The four Pillars of the Istanbul Convention (2023). [Retrieved from: <https://rm.coe.int/coe-istanbulconvention-brochure-en-r03-v01/1680a06d4f>]. [Date of access: 12 September 2023].

47 Kharytonova (2018).

Petechel<sup>48</sup> believes that measures aimed at preventing domestic violence can be classified as follows: general (studying the phenomenon, informing about the phenomenon, forming a culture of intolerance, improving the system of interaction between bodies) and special (development and implementation of programs, involvement of media, conducting trainings and seminars). Among the main measures aimed at combating domestic violence are: victims assistance (temporary asylum, support in the process of divorce), victims protection, the use of special measures, restrictive order, maintaining a register of persons who have committed domestic violence, rehabilitation programs for offenders), legal liability of the offender. When the Istanbul Convention is analysed, the following areas of combating domestic violence can be identified:

- creating access for victims of domestic violence to general support services, which include legal services, psychological counselling, financial assistance, free accommodation, education, training and job search assistance;
- creating accessible and sufficient shelters for the safe accommodation of victims, including women and children, and providing them with the necessary assistance;
- initiating a nationwide 24/7 toll-free telephone helplines focused on counselling, with a guarantee of confidentiality;
- encouraging the witnesses to report domestic violence to the competent authorities;
- prosecution for committing psychological, physical, sexual violence, stalking, forced marriage, female genital mutilation, forced abortion and forced sterilization;
- issuing urgent prohibitive, restrictive or protective orders.

Given the prevention and counteraction to domestic violence, the ratification of the Istanbul Convention by the states is necessary to enhance the fight against this negative phenomenon. Having signed the Convention, the prevention and counteraction to domestic violence will become a legal obligation of the country in accordance with international law, and not only a matter of political will. The Istanbul Convention calls for taking measures to prevent violence, protect victims and punish perpetrators. Ratification of the Convention will also lead to the exchange of information between countries on practices and approaches to combating domestic violence. External experts will monitor the implementation of the Istanbul Convention and can provide advice and recommendations that lead to better prevention of violence, protection of victims and prosecution of perpetrators.

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48 Petechel (2021), pp. 126-135.

### 3. Features of prevention and counteraction to domestic violence in European countries

The analysis of the legislation of European countries on the prevention and counteraction to domestic violence shows that special regulatory legal acts aimed at combating this phenomenon began to be adopted only from the middle of the 20th century. For example, Austria adopted these standards in 1996, Ukraine – in 2001, Germany – in 2002, Spain – in 2003, Great Britain – in 2004, Bulgaria, Bosnia and Herzegovina – in 2005, France, Norway Czech Republic – in 2006, Moldova – in 2007, Poland – in 2010. As a rule, women suffer the most from violence. Despite women being the predominant victims of domestic abuse, children are also subject to domestic abuse. This trend is observed in all European countries. Therefore, we will consider ways to overcome this phenomenon on the example of some of European states, focusing on the features of prevention and combating domestic violence.

Bosnia and Herzegovina adopted legislative measures to combat domestic violence. The Law on Protection from Domestic Violence<sup>49</sup> establishes the obligation of medical and social workers, teachers as well as employees of other institutions and bodies, non-governmental organizations, to immediately report to the police all cases of domestic violence that have become known in the performance of their duties. Failure to comply with the above obligation may result in a fine of KM 2,000 to KM 10,000 or arrest for at least 50 days in 2023. A family member or any other person who is aware of domestic violence (especially if the minor is a victim of domestic violence) has the same obligation. As a preventive measure, the Daphne program was implemented, which funds projects to prevent domestic violence and support victims<sup>50</sup>.

The UK places great emphasis on preventing and combating domestic abuse and domestic violence. Without a doubt, the practice of interaction between the UK police and the public in overcoming the problem of domestic violence is relevant. Thus, anyone can apply to the police with a request to check a new or existing partner for a “violent past”. The police conduct a special inspection on such inquiries and inform the applicant of its results<sup>51</sup>. It is noteworthy that such information is provided on request only and is not publicly available. In addition, UK police officers: are authorized to visit families to raise awareness about domestic violence and disseminate information on the subject; have the right to arrest the offender and determine his/her short-term or long-term residence separately from the victim; are obliged to con-

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49 Parliament of the Federation of Bosnia and Herzegovina (2005): “A decree on the proclamation of the law on protection from domestic violence No. 01-109/05”. [Retrieved from: <https://evaw-global-database.unwomen.org/en/countries/europe/bosnia-and-herzegovina/2005/laws-on-protection-against-domestic-violence-in-both-entities--2005->]. [Date of access: 12 September 2023].

50 Havronyuk and Gacelyuk (red.). (2014).

51 Mytnyk (2019), pp. 83-87.

duct periodic visits to the families which were registered<sup>52</sup>. The UK has a national strategy to tackle domestic violence and domestic abuse. One of the key initiatives is the Domestic Abuse Bill, which aims to strengthen the protection of victims and assign responsibility to abusers.

In the UK, a new administrative body has been introduced since 2019 - the Commissioner for Domestic Violence. The Commissioner has the right to make recommendations to public authorities on their response, to conduct research, to interact with public administration bodies and volunteer organizations, to raise public awareness of domestic violence. Public authorities, which main task is to counteract to domestic violence, are obliged to cooperate with it<sup>53</sup>. For judges wishing to specialize in dealing with cases of domestic violence, there are appropriate training programs available, which are a prerequisite for becoming a competent judge in this field.

According to the German Law on Protection from Domestic Violence, a person who has committed domestic violence must leave home immediately. Both the victim and his or her representative may file a complaint of violence. The police have the right to oblige the perpetrator to leave the place of residence with the victim for up to 10 days<sup>54</sup>.

Countries such as Austria, Spain, the Netherlands, Poland, the Czech Republic, and Sweden have experience in removing a perpetrator from common place of residence as well<sup>55</sup>.

In addition, in the event of physical harm to a victim or restriction of liberty, the court may: impose an obligation on the offender to leave the home, regardless of whether the partners are married and whether the offender is a homeowner, sole tenant or tenant<sup>56</sup>. The law allows the court to impose a ban on the aggressor staying in certain places (in a certain territory, in a family home), approaching the victim, carrying out any other communication (for example, using fax, e-mail, SMS) or committing other forms of violence.

There are departments of commissioners for domestic violence within the German criminal police, in which employees after special training investigate and deal with cases of domestic violence, contact the victim and the perpetrator, cooperate with non-governmental

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52 Hanmer; Griffiths and Jerwood (1999).

53 GOV. UK (2020): "Policy paper: Domestic abuse commissioner factsheet". [Retrieved from: <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-commissioner-factsheet>]. [Date of access: 12 September 2023].

54 Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen (Gewaltschutzgesetz - GewSchG) (2001). [Retrieved from: <https://www.gesetze-im-internet.de/gewschg/BJNR351310001.html>]. [Date of access: 12 September 2023].

55 Kharlamov (2014), pp. 31-40.

56 Halai *et al.* (2014).



organizations to prevent cases of domestic violence<sup>57</sup>. Such specialization has a positive effect on the effective investigation and detection of domestic violence.

According to Polish law, any person who suspects that domestic violence was committed can report domestic violence, which is the basis for starting an investigation into this fact. The main task after receiving such a statement is the urgent cessation of domestic violence<sup>58</sup>. Poland's experience in introducing the so-called Blue Card procedure, which is mainly preventive in nature, is interesting. The essence of this procedure is that the police officer, having discovered the fact of domestic violence, fills out form "A", which indicates the circumstances of the case. The victim is left with a form "B", which contains an explanation of what is considered domestic violence, who may be its victims, in what forms it most often manifests itself as well as the types of crimes committed in this area and cases when criminal prosecution is initiated under the condition of mandatory submission of a statement by the victim.

Form "C" contains information about the victim and an individual assistance plan to help him/her. Form "D" contains information about the offender, who is warned about the responsibility for committing domestic violence and justifies the need to participate in correctional training programs. The Blue Card procedure occurs when domestic violence ceases or there is a reasonable expectation that it will cease after the completion of the measures of the individual assistance plan or if a decision is made that further measures are not advisable. The end of the procedure is recorded in a protocol signed by the head of the interdisciplinary commission<sup>59</sup>.

Poland also has a government program for the prevention of crime and antisocial behaviour called Safer Together, main areas of application being combating domestic violence. In particular, this program promotes an appropriate model of family life. This can be achieved by conducting seminars, round tables, trainings for both victims of domestic violence and perpetrators. It is also aimed at improving cooperation between institutions and non-governmental organizations that provide assistance (legal, psychological and social) for victims of domestic violence. Moreover, support for social initiatives for the prevention of domestic violence is promoted by this program. Apart from that, the involvement of non-governmental organizations in consultations, trainings, round tables, assistance to victims of domestic violence is vital to the successful prevention of domestic violence. In addition, raising awareness of medical staff about the symptoms of domestic violence is another aspect the program deals with<sup>60</sup>.

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57 Seiffert (2013).

58 Shkolnikov (2011), pp. 137-140.

59 Josyfovych (2012), pp. 384-391.

60 Zielińska-Poćwiardowska and Sosnowska-Buxton (2023), pp. 131-154.



Units of the National Police of Ukraine play an important role in prevention and combating domestic violence. Their authority includes the clarification of the facts of domestic violence and timely response to them. They also must investigate applications and reports on the commission of domestic violence and adopt urgent measures against offenders. organization of preventive registration of offenders and carrying out preventive work with them in the manner prescribed by law. The police officers are also obliged to control the implementation of special measures aimed at combating domestic violence by offenders. In addition, if necessary, they withdraw permits to acquire weapons for a person who has committed domestic violence in the manner prescribed by law<sup>61</sup>.

Given the growing number of cases of domestic violence and the specificity of legislation in this area, special units within the National Police of Ukraine were established which purpose is to combat domestic violence. In 2017, special response teams began to work on cases of domestic violence. This project was named “Polina”, which is an abbreviation of “police against violence” and has successfully proven itself. The mobile teams include representatives of various police units: district police officers, juvenile prevention officers, investigative and operational units, as well as, remotely, the patrol police crew<sup>62</sup>. A feature of such groups is the undergoing of special training in the field of combating domestic violence, which allows to provide high-quality and timely assistance to victims and take appropriate measures to prevent and stop further illegal actions. At present, the National Police has 45 sectors for combating domestic violence, with 87 mobile teams for combating domestic violence.

Special measures to combat domestic violence include: 1) referring the offender to a special program; 2) preventive registration of the offender and carrying out preventive work with him/her; 3) emergency barring order; 4) barring order. In this regard, the latest positive developments in prevention and combating domestic violence in Ukraine should be mentioned<sup>63</sup>.

Thus, systematic training of all police officers on actions in case of domestic violence was introduced. Besides, chatbots on the Telegram and Viber platforms were created to accumulate information on actions in case of domestic violence. Moreover, the information campaign about the illegality of domestic violence and algorithm of actions in case of its commission was carried out. Furthermore, the system of control over the offender with the help of elec-

61 Bahlai (2017).

62 Ibid., 47.

63 Pavlichenko (2021): “Overcoming domestic violence is a priority for the Ministry of Internal Affairs”. Portal of the Ministry of Internal Affairs. [Retrieved from: <https://mvs.gov.ua/press-center/news/podolannya-domasnyogo-nasilstva-ce-prioritetne-zavdannya-dlya-mvs-katarina-pavlichenko>]. [Date of access: 12 September 2023].

tronic means of control was developed to ensure the safety of the victim. Another important achievement is that the creation of a network of specialized services to support victims of domestic violence was funded by the subventions from the state budget for local budgets. Finally, work on the development of a free mobile application with a hidden interface with the ability to save photos, audio and video evidence is being conducted, which will help to promptly notify the police in case of domestic violence.

In France with the adoption of the Law on Strengthening the Counteraction and Punishment of Violence in the Family or Against Minors<sup>64</sup>, family judges have been able to issue special orders allowing the victim to change residence or remove the offender from the place of residence<sup>65</sup>. The judge may decide to apply to the offender the arrest in the form of electronic bracelet, which sends an alarm signal to the police when the aggressor approaches a certain place. This measure guarantees the execution of a court decision prohibiting access to the victim and provides an opportunity to prevent further contact between the victim and the perpetrator.

For comparison, Spanish law also provides electronic monitoring of cases of domestic violence carried out with the help of special tracking devices. The devices help to monitor the offender's compliance with court restrictions and maintain communication between the offender and the specialist of the specialized centre<sup>66</sup>. It should be noted that the French legislation provides for criminal liability in the form of imprisonment for up to 3 years and a fine of 75 thousand euros for committing psychological violence<sup>67</sup>.

Domestic violence is a criminal offense in the Czech Republic. The value of the Czech experience in combating domestic violence lies in its systematic nature. The main directions of measures are: legal reform on this issue, improvement of law enforcement agencies, development of social services; educational programs, rehabilitation programs. The Czech experience is relevant not only through the introduction of mandatory psychological programs for perpetrators of domestic violence and educational programs in schools to promote friendly and tolerant coexistence of family members, but also through the development of methods for teaching this issue<sup>68</sup>.

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64 LOI N.º 2018-703 du 3 août 2018 renforçant la lutte contre les violences sexuelles et sexistes (2018). [Retrieved from: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037284450>]. [Date of access: 12 September 2023].

65 French Presidency of the Council of the European Union (2022): "Mobilising law enforcement to fight domestic violence". [Retrieved from: <https://presidence-francaise.consilium.europa.eu/en/news/mobilising-law-enforcement-to-fight-domestic-violence/>]. [Date of access: 12 September 2023].

66 Ibid., 43.

67 Gorbova and Halunko (2016).

68 Golovko; Uliutina; Davydovych and Ilina (2021), pp. 253-261.

Switzerland has a well-developed system of bodies, institutions and organizations aimed at combating domestic violence. In 1976, for example, the Federal Bureau for Equality between Women and Men was established to regulate equal rights for women and men, ensure normal relations between men and women at work, and combat domestic violence<sup>69</sup>. In cases of personal injury or other negative consequences that are not within the authority of the Office for Combating Domestic Violence, the Swiss police are involved. Its work on combating domestic violence is generally divided into two areas: protection of the personal safety of victims of domestic violence and bringing perpetrators to justice. Regarding bringing the perpetrators to justice, the Swiss police counteracts further outbreaks of violence and punishes the perpetrators; ensures the acceptance of statements from victims and obtaining other evidence; and temporarily detains offenders and delivers them to the department.

That is, police intervention includes protection against existing or imminent danger and protection against future risks, if such can be expected in the family<sup>70</sup>. The Swiss Penal Code criminalizes the following acts: repeated assault (Article 126, paragraph 2), threats (Article 180, paragraph 2), sexual coercion (Article 189) and rape (Article 190) in marriage<sup>71</sup>.

It is noteworthy the creation in Switzerland of a fairly extensive system of special counselling centres (medical coordinating centres, medical care centres in cases of sexual violence, hotlines and helplines, counselling centres for victims of domestic violence, men's offices or centres for helping men who are victims of violence, counselling for migrants who have been victims of domestic violence), which operate at the expense of the state budget and provide assistance in cases of domestic violence<sup>72</sup>. Areas of activity in the field of prevention of domestic violence in Switzerland include: information campaigns and activities against domestic violence, publications on domestic violence, special education program for children who have witnessed domestic violence<sup>73</sup>.

Thus, all the analysed countries develop a network of services and centres that provide support to victims of violence, try to improve their legislation to more effectively combat domestic violence, and actively promote educational and information campaigns to raise awareness about domestic violence and victims' rights.

69 Federal Office for Gender Equality (2022): "Eidgenössischen Büro für die Gleichstellung von Frau und Mann". [Retrieved from: <https://www.ebg.admin.ch/ebg/de/home.html>]. [Date of access: 12 September 2023].

70 Federal Assembly the Swiss Confederation (1937): "Swiss Criminal Code". [Retrieved from: [https://www.legislation-line.org/download/id/8991/file/SWITZ\\_Criminal%20Code\\_as%20of%202020-07-01.pdf](https://www.legislation-line.org/download/id/8991/file/SWITZ_Criminal%20Code_as%20of%202020-07-01.pdf)]. [Date of access: 12 September 2023].

71 Federal Office for Gender Equality (2013): Häusliche Gewalt in der Schweizer Gesetzgebung. [Retrieved from: <https://www.ebg.admin.ch/ebg/de/home.html>]. [Date of access: 12 September 2023].

72 Ibid., 8.

73 Beutler (2022), pp. 16-18.

#### 4. Conclusion

Violence in all its forms can affect the health and well-being of the victim, regardless their gender or age throughout their life even after the violence has ceased. It is associated with an increased risk of injury, depression, anxiety disorders, unplanned pregnancy and many other health problems. It also affects society as a whole and involves huge costs that affect national budgets. All of the above allows us to draw the following conclusions about the European experience in the prevention and combating domestic violence. Thus, one of the most common means of combating crime in the analysed European countries is the removal of the offender from the place of residence of the victim. Besides, special measures imposed by courts to counteract violence are widespread. It is also necessary to highlight that the experience of using GPS bracelets, which helps the police receive a signal that the person who committed the violence is near the victim, is positive.

Furthermore, countries pay close attention to numerous educational programs that are effective tools for preventing domestic violence. Apart from that, it is a common practice to create specialized units for combating domestic violence in the system of public administration bodies and specialized police units. Accordingly, the police are the leading body that protects victims of domestic violence and takes necessary measures to combat this socially dangerous phenomenon.

European countries should continue to fulfil their commitment to strengthen political will and leadership to prevent and combat domestic violence against women in all its forms. This will be best facilitated by the ratification of the Istanbul Convention; delimitation of administrative and criminal liability for domestic violence; improvement of the legislation in terms of reducing the time of consideration of the case on the issuance of a restraining order in court; increasing the number of shelters for women in need; increasing educational and other cultural activities aimed at preventing domestic violence in all its forms; and the development of a legal mechanism to combat cyberbullying as a form of psychological violence. The material in this article can be useful for researchers and legal practitioners, lawyers working on the prevention and cessation of domestic violence as well as for teachers of higher education institutions when teaching topics related to domestic violence, and for any person interested in this issue/area/topic.

## References

- Bahlai, S. (2017): “Ukrainian Law-Enforcement Reform Digest. Issue 2: June-August 2017” (Kyiv, Expert group “Police under control”).
- Beutler, D. (2022): “Kinder als Zeugen häusliche Gewalt”, in *Pädiatrie* (3,21), pp. 16-18.
- Brink, J.; Cullen, P.; Beek, K.; Peters, S. A. E. (2023): “Intimate partner violence during the COVID-19 pandemic in Western and Southern European countries”, in *European Journal of Public Health* (31,5), pp. 1058-1063.
- Britchenko, I.; Cherniavska, T. (2019): “Blockchain technology in the fiscal process of ukrainian optimization”, in *Ikonomicheski Izsledvania* (28,5), pp. 134-147.
- Britchenko, I.; Romanchenko, T.; Hladkyi, O. (2019): “Potential of sustainable regional development in view of smart specialisation”, in *Ikonomicheski Izsledvania* (28,6), pp. 88-109.
- Buriak, K. (2021): “Correlation between torture and domestic violence”, in *Bulletin of the Penitentiary Association of Ukraine* (1,15), pp. 67-73.
- Dashkovska, O. (2004): “The right to dignity and personal integrity: the gender aspect”, in *Bulletin of the Academy of Legal Sciences of Ukraine* (4,39), pp. 198-204.
- Gorbova, H.; Halunko, V. (2016): *Administrative and legal regulation of combating domestic violence* (Kyiv, Institute of Public Law).
- Golovko, L.; Uliutina, O.; Davydovych, I.; Ilina, O. (2021): “Legal regulation of combating domestic violence in Eastern Europe”, in *European Journal of Sustainable Development* (10,3), pp. 253-261.
- Halai, O.; Halai, V.; Holovko, L.; Muranova, V. (2014): *International experience in preventing and combating domestic violence* (Kyiv, KNT).
- Hanmer, J.; Griffiths, S.; Jerwood, D. (1999): *Arresting evidence: Domestic violence and repeat victimisation* (London, RDS).

- Havronyuk, M. I.; Gacelyuk, V. O. (red.). (2014): *Naukovo-praktichnij komentar Za-konodavstvo Ukraini proti katuvan ta inshih zhorstokih, nelyudskih abo takih, sho prinizh-uyut gidnist, vidiv povodzhennya i pokarannya* (Kiyiv, VAITE).
- Hug, P.; Hirt, B. (2013): *Für den Schutz vor Waffengewalt* (Bern, Postfach).
- Inshyn, M.; Khutoryan, N.; Cherneha, R.; Bontla, V.; Tkachenko, D. (2021): “Correlation of labor and civil contracts related to the performance of work: Preventing the substitution of concepts”, in *Employee Responsibilities and Rights Journal* (33,4), pp. 265-279.
- Jobard, F. (2023): “What Would You Do? Decisions by French and German Judges and Lay-people on Sanctions for Everyday Delinquency”, in *Impending Challenges to Penal Moderation in France and Germany: a Strained Restraint*, pp.83-106.
- Josyfovych, D. I. (2012): “Preventing domestic violence: The experience of the Republic of Poland”, in *Scientific Bulletin of Lviv State University of Internal Affairs* (3), pp. 384-391.
- Kharlamov, V. (2014): “The institute of protection order in the international legislation as a tool for protection of a person from domestic violence”, in *Criminology yesterday, today, tomorrow* (32,1), pp. 31-40.
- Kharytonova, O. (2018): *Key principles of gender policy in the criminal law of Ukraine and the main directions of reforms to combat violence against women and domestic violence* (Kharkiv, Prava Liudyny Publishing House).
- Lesch, M. (2023): “From Norm Violations to Norm Development: Deviance, International Institutions, and the Torture Prohibition”, in *International Studies Quarterly* (67, 3).
- Levchenko, I.; Losonczy, P.; Britchenko, I.; Vazov, R.; Zaiats, O.; Volodavchyk, V.; Humeniuk, I.; Shumilo, O. (2021): “Development of a method for targeted financing of economy sectors through capital investment in the innovative development”, in *Eastern-European Journal of Enterprise Technologies* (5,13-113), pp. 6-13.
- Lotzin, A.; Lotzin, A.; Flechsenhar, A.; Garthus-Niegel, S.; Georg, A. K.; Holl, J.; von Hülsen, L.; Kenntemich, L.; Kliem, S.; Kröger, Ch.; Mack, J. T.; Mojahed, A.; Nuniuss, S. (2023): “Domestic violence and its psychological consequences during the COVID-19 pandemic—key findings from German-speaking countries”, in *Bundesgesundheitsblatt – Gesundheitsforschung – Gesundheitsschutz* (66,8), pp. 920-929.



- Mytnyk, U. (2019): “Criminal law counteraction to domestic violence in some countries of the European Union”, in *Naukovi zapysky NaUKMA. Yurydychni nauky* (3), pp. 83-87.
- Osiejewicz, J. (2017): “Judicial Review of EU Legislation as an Instrument to Ensure Consistency of National and EU Law”, in *Ius Gentium* (61), pp. 361-375.
- Pertseva, T.; Ohorenko, V. (2021): *Current issues of domestic violence* (Dnipro, Nauka).
- Petechel, O. Yu. (2021): “Prevention and counteraction to domestic violence: Some aspects”, in *Actual problems of improving of current legislation of Ukraine* (56), pp. 126-135.
- Rabinovych, P. (2001): *Fundamentals of the general theory of law and the state* (Kyiv, Attica).
- Sardak, S.; Britchenko, I.; Vazov, R.; Krupskyi, O. P. (2021): “Life cycle: Formation, structure, management”, in *Ikonomicheski Izsledvania* (30,6), pp. 126-142.
- Savchenko, A. (2007): *Criminal legislation of Ukraine and federal criminal legislation of the United States of America* (Kyiv, KNT).
- Seiffert, F. (2013): *Dealing with Social Violence – “Domestic Violence” and Victim Protection* (Ainring, BPFJ).
- Shkolnikov, I. (2011): “Combating domestic violence: The experience of Poland”, in *Legal Reforms*, pp. 137-140.
- Smartt, U.; Kury, H. (2023): “Domestic violence: Comparative analysis of German and U. K. research findings”, in *Social Science Quarterly* (88,5), pp. 1263-1280.
- Sobko, G. M. (2019): “Domestic violence as a criminological problem”, in *The South Ukrainian Law Journal* (3), pp. 85-88.
- Walker, L. E. (2009): *The battered woman syndrome* (New York, Springer Publishing Company).
- Zielińska-Poćwiardowska, I.; Sosnowska-Buxton, P. (2023): “Domestic Violence in Poland: An Invitation to Sociological Analysis of the Phenomenon”, in *Studia Socjologiczne* (2), pp. 131-154.



Zugravu, A.; Medeiros, M.; Nai, A. (2023): “A Tormenting Dilemma: American Identity and Attitudes Towards”, in *Torture. American Politics Research* (51,4), pp. 457-466.

## Electronic documents

Council of Europe (1950): Convention for the protection of human rights and fundamental freedoms. [Retrieved from: [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)]. [Date of access: 12 September 2023].

Council of Europe (1985): “Recommendation No. R (85) 4 of the Committee of Ministers to member states on violence in the family”. [Retrieved from: <https://rm.coe.int/16804f120d>]. [Date of access: 12 September 2023].

Council of Europe (1990): “Recommendation No. R (90) 2 of the Committee of Ministers of the Council to member states on social measures concerning violence within the family”. [Retrieved from: [https://www.arch.ms.gov.pl/Data/Files/\\_public/ppwr/akty\\_prawne/miedzynarodowe/rekomendacja-nr-r-90-2-.pdf](https://www.arch.ms.gov.pl/Data/Files/_public/ppwr/akty_prawne/miedzynarodowe/rekomendacja-nr-r-90-2-.pdf)]. [Date of access: 12 September 2023].

Council of Europe (1996): “European Social Charter”. [Retrieved from: [https://www.cvce.eu/en/obj/revised\\_european\\_social\\_charter\\_strasbourg\\_3\\_may\\_1996-en-bcb7bcd5-60c2-41d7-aa90-ba6fa8a59f69.html](https://www.cvce.eu/en/obj/revised_european_social_charter_strasbourg_3_may_1996-en-bcb7bcd5-60c2-41d7-aa90-ba6fa8a59f69.html)]. [Date of access: 12 September 2023].

Council of Europe (2002): “Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence”. [Retrieved from: [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805e2612](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805e2612)]. [Date of access: 12 September 2023].

Council of Europe (2005): “Council of Europe Convention on Action against Trafficking in Human Beings”. [Retrieved from: <https://rm.coe.int/168008371d>]. [Date of access: 12 September 2023].

Council of Europe (2011): “Council of Europe Convention on preventing and combating violence against women and domestic violence”. [Retrieved from: <https://rm.coe.int/168008482e>]. [Date of access: 12 September 2023].

Council of Europe (2013): “Council of Europe Convention on preventing and combating violence against women and domestic violence. Istanbul Convention: A handbook for members”. [Retrieved from: <https://rm.coe.int/168046e60a>]. [Date of access: 12 September 2023].

Federal Assembly the Swiss Confederation (1937): “Swiss Criminal Code”. [Retrieved from: [https://www.legislationline.org/download/id/8991/file/SWITZ\\_Criminal%20Code\\_as%20of%202020-07-01.pdf](https://www.legislationline.org/download/id/8991/file/SWITZ_Criminal%20Code_as%20of%202020-07-01.pdf)]. [Date of access: 12 September 2023].

Federal Office for Gender Equality (2013): Häusliche Gewalt in der Schweizer Gesetzgebung. [Retrieved from: <https://www.ebg.admin.ch/ebg/de/home.html>]. [Date of access: 12 September 2023].

Federal Office for Gender Equality (2022): “Eidgenössischen Büro für die Gleichstellung von Frau und Mann”. [Retrieved from: <https://www.ebg.admin.ch/ebg/de/home.html>]. [Date of access: 12 September 2023].

Fourth UN International Conference on Women (1995): “Beijing Declaration and Platform”. [Retrieved from: <https://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf>]. [Date of access: 12 September 2023].

French Presidency of the Council of the European Union (2022): “Mobilising law enforcement to fight domestic violence”. [Retrieved from: <https://presidence-francaise.consilium.europa.eu/en/news/mobilising-law-enforcement-to-fight-domestic-violence/>]. [Date of access: 12 September 2023].

General recommendation No. 35 (2017): “On gender-based violence against women, updating general recommendation No. 19 (1992)”. [Retrieved from: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2017-gender-based>]. [Date of access: 12 September 2023].

Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen (Gewaltschutzgesetz - GewSchG) (2001). [Retrieved from: <https://www.gesetze-im-internet.de/gewschg/BJNR351310001.html>]. [Date of access: 12 September 2023].

Good practices in legislation on violence against women (2008): “United Nations Division for the Advancement of Women United Nations Office on Drugs and Crime”. [Retrieved from: [https://www.un.org/womenwatch/daw/egm/vaw\\_legislation\\_2008/](https://www.un.org/womenwatch/daw/egm/vaw_legislation_2008/)].

- [Report%20EGMGPLVAW%20%28final%2011.11.08%29.pdf](#). [Date of access: 12 September 2023].
- GOV. UK (2020): “Policy paper: Domestic abuse commissioner factsheet”. [Retrieved from: <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-commissioner-factsheet>]. [Date of access: 12 September 2023].
- Parliament of the Federation of Bosnia and Herzegovina (2005): “A decree on the proclamation of the law on protection from domestic violence No. 01-109/05”. [Retrieved from: <https://evaw-global-database.unwomen.org/en/countries/europe/bosnia-and-herzegovina/2005/laws-on-protection-against-domestic-violence-in-both-entities--2005->]. [Date of access: 12 September 2023].
- Pavlichenko, K. (2021): “Overcoming domestic violence is a priority for the Ministry of Internal Affairs”. Portal of the Ministry of Internal Affairs. [Retrieved from: <https://mvs.gov.ua/press-center/news/podolannya-domasnyogo-nasilstva-ce-prioritetne-zavdannya-dlya-mvs-katarina-pavlicenko>]. [Date of access: 12 September 2023].
- The four Pillars of the Istanbul Convention. (2023). [Retrieved from: <https://rm.coe.int/coe-istanbulconvention-brochure-en-r03-v01/1680a06d4f>]. [Date of access: 12 September 2023].
- United Nations (1948): “Universal declaration of human rights”. [Retrieved from: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>]. [Date of access: 12 September 2023].
- United Nations (1967): “Declaration on the elimination of discrimination against women”. [Retrieved from: [https://www.eods.eu/library/UNGA\\_Declaration%20Women\\_1967\\_en.pdf](https://www.eods.eu/library/UNGA_Declaration%20Women_1967_en.pdf)]. [Date of access: 12 September 2023].
- United Nations (1979): “Convention on the elimination of all forms of discrimination against women New York, 18 December 1979”. [Retrieved from: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>]. [Date of access: 12 September 2023].
- United Nations (1993): “Declaration on the elimination of violence against women”. [Retrieved from: [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21\\_declaration%20elimination%20vaw.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21_declaration%20elimination%20vaw.pdf)]. [Date of access: 12 September 2023].

United Nations (1996): “A framework for model legislation on domestic violence”. [Retrieved from: <http://hrlibrary.umn.edu/commission/thematic52/53-add2.htm>]. [Date of access: 12 September 2023].

United Nations (2008): “Resolution A / HRC / 7 / L.22 / REV 1 “On promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”. [Retrieved from: <https://digitallibrary.un.org/record/623527>]. [Date of access: 12 September 2023].

United Nations (2017): “General Recommendations of the UN Committee on the elimination of discrimination against women No CEDAW/C/GC/3, 26 July 2017”. [Retrieved from: <https://www.ohchr.org/en/treaty-bodies/cedaw/general-recommendations>]. [Date of access: 12 September 2023].

UN Women (2022): [Retrieved from: <https://www.unwomen.org/en/about-us>]. [Date of access: 12 September 2023].

Wilson-McDonald, A. (2021): “Combating violence against women in the Czech Republic: Beyond the Coronavirus. BRNOdaily”. [Retrieved from: <https://brnodaily.com/2020/05/31/brno-daily-recommends/combating-violence-against-women-in-the-czech-republic-beyond-the-coronavirus/>]. [Date of access: 12 September 2023].

## Cited Laws

Law N.º 2018-703 3 of August 2018 (2018): [Retrieved from: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037284450>]. [Date of access: 12 September 2023].