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DOMESTIC VIOLENCE PREVENTION TOOLS WITHIN THE EUROPEAN UNION

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ІНСТРУМЕНТИ ЗАПОБІГАННЯ ДОМАШНЬОМУ НАСИЛЬСТВУ В РАМКАХ ЄВРОПЕЙСЬКОГО СОЮЗУ

The article examines the main instruments in the field of prevention of violence against women and domestic violence supported by the European Union. It has been proven that the prevention of domestic violence is primarily related to the provision of a number of human rights, the protection of which is enshrined in international acts and separate legal acts of the European Union. In particular, among the legal

instruments, attention is focused on the application of the Council of Europe Convention on the prevention of violence against women and domestic violence and the fight against these phenomena (Istanbul Convention). It is established that the main goals of the Convention are: protection of women from all forms of violence and prevention, criminal prosecution and elimination of violence against women and domestic violence; promoting the elimination of all forms of discrimination against women and promoting real equality between women and men, including by empowering women; development of comprehensive frameworks, policies and measures to protect and assist all victims of violence against women and domestic violence; encouraging international cooperation to eliminate violence against women and domestic violence; providing support and assistance to organizations and law enforcement agencies in effective cooperation to adopt a comprehensive approach to eliminating violence against women and domestic violence. The Convention contains standards for the necessary legislative and other measures to support and protect the right of everyone, especially women, to live free from violence in both the public and private spheres and non-discrimination.

Policies to prevent violence against women and domestic violence through funding programs, awareness raising and research development are considered. Particular attention is paid to campaigns aimed at preventing domestic violence through raising awareness, effective interaction with state authorities and non-governmental organizations, including international ones.

The experience of coordinated actions in the context of European integration processes in Ukraine was studied in order to further assess the possibilities of implementation against the background of the ratification of the Istanbul Convention.

У статті досліджено основні інструменти у сфері запобігання насильству щодо жінок та домашньому насильству, які підтримуються Європейським Союзом. Доведено, що запобігання домашньому насильству першочергово пов'язано із забезпеченням низки прав людини, охорона яких закріплюється в міжнародних актах та окремих нормативно-правових актах Європейського Союзу. Зокрема, серед правових інструментів зосереджено увагу на застосуванні Конвенції Ради Європи про запобігання насильству стосовно жінок і домашньому насильству та боротьбі із цими явищами

(Стамбульська конвенція). Встановлено, що основними цілями Конвенції є: а) захист жінок від усіх форм насильства й недопущення, кримінальне переслідування та ліквідація насильства стосовно жінок і домашнього насильства; б) сприяння ліквідації всіх форм дискримінації стосовно жінок та заохочення дійсної рівності між жінками та чоловіками, у тому числі шляхом надання жінкам самостійності; с) розробка всеосяжних рамок, політики та заходів для захисту всіх потерпілих від насильства стосовно жінок і домашнього насильства та надання їм допомоги; д) заохочення міжнародного співробітництва з метою ліквідації насильства стосовно жінок і домашнього насильства; е) забезпечення підтримки та надання допомоги організаціям та правоохоронним органам в ефективному співробітництві для прийняття комплексного підходу до ліквідації насильства стосовно жінок і домашнього насильства. У Конвенції містяться стандарти необхідних законодавчих та інших заходів для підтримки та захисту права кожного, особливо жінок, на те, щоб жити без насильства як в публічній, так і в приватній сферах та недискримінації.

Розглянуто політики запобігання насильству щодо жінок та домашньому насильству за допомогою програм фінансування, підвищення обізнаності та розвиток досліджень. Окрему увагу приділено кампаніям, які спрямовані на запобігання домашньому насильству через підвищення рівня обізнаності, ефективну взаємодію з органами державної влади та неурядовими організаціями, в тому числі міжнародними.

Вивчено досвід скоординованих дій в контексті євроінтеграційних процесів в Україні з метою подальшої оцінки можливостей імплементації на тлі ратифікації Стамбульської конвенції.

Key words: *gender, domestic violence, prevention, personal safety, global security issues, policies, European Union, interaction.*

Ключові слова: *гендер, домашнє насильство, запобігання, безпека особистості, глобальні проблеми безпеки, політики, Європейський Союз, взаємодія.*

Statement of the problem. In modern Ukraine, which is undergoing military aggression, changes are rapidly taking place in the system of all social relations, including gender relations. In particular, there is a possibility of strengthening and entrenching traditional views on gender roles. On the other hand, Ukraine is taking significant steps towards joining the European society, where the main values are equality and the absence of restrictions and exceptions based on gender.

Analysis of recent research and publications. Prevention of domestic violence as a direction activities of public authorities and public institutions studied domestic and foreign scientists, namely: O. Bandurk, V. Bondarovskaya, T. Bugayets, O. Kovaleva, L. Kozub, O. Kochemirovskaya, G. Laktionov, K. Levchenko, T. Malinovskaya, O. Suslova, E. Salisbury, G. Donavin and others. However, it is worth noting that the foreign experience of preventing domestic violence is still little investigated in the context of its implementation in Ukraine, which requires the implementation of further scientific research in this area.

Statement of the task. The key goal of the article is to study the tools for the prevention of domestic violence within the framework of the European Union in order to further analyze the possibilities of their adaptation and implementation in Ukraine in the context of EU membership

The main research material. On June 23, 2022, Ukraine received the long-awaited status of a candidate for European Union membership.

The activities of the European Community are determined by a system of values, among which the key place belongs to equality and the rule of law. European values determine the main vectors of the foreign and domestic policy of the European Union and have a decisive influence on the practice of the European Court of Human Rights. According to Article 2 of the Treaty establishing the European Community (Treaty establishing the European Economic Community), the task of the Community is, among other things, to spread throughout the Community harmonious, balanced and stable development of economic activity, a high level of employment and social protection, equality between women and men.

All activities of the Community mentioned in this article aim to eliminate inequality and promote equality between women and men [1].

The EU will continue to campaign for the rights and empowerment of women in all contexts through fighting discriminatory legislation, gender-based violence and marginalisation.

The EU Action Plan on Human Rights and Democracy 2020-2024 states that "the EU and its Member States will promote the full realization of the rights of women and girls, gender equality and the empowerment of women and girls as a priority in all areas activity" [2].

Accordingly, the experience of the European Union in preventing and countering domestic violence is subject to study and analysis for the possibility of its application in Ukraine.

In view of the ratification of the Council of Europe Convention on preventing and combating violence and domestic violence by Ukraine, our legislation needs significant and profound changes in order to fulfill the obligations assumed.

Violence against women (VAW) is a global safety problem, which continues to affect millions of women and girls worldwide. A recent study on violence against women in the EU shows that an estimated 13 million women in the EU (i.e. 7% of women aged 18-74) have experienced physical violence in the course of the 12 months before the survey interviews [3].

Violence against women is a widespread violation of human rights: it takes a multitude of forms including sexual, physical, psychological and cyber violence. Its consequences for women's lives include physical harm, psychological trauma, poverty, and death. It causes severe harm not only to women, but also to families and communities. The magnitude of the problem is reflected in the economic costs of VAW, which are estimated to be a staggering more than € 225 billion per year [4].

The interaction of public authorities with international organizations is an important part of the country's foreign policy and the joint solution of global problems. Organizational tools for such engagement include diplomatic missions that establish and maintain relations with these organizations, international agreements and treaties, national ministries and agencies, parliamentary committees, financial support, mass media and public organizations that can be used to spread information about the country's interaction with international organizations and mobilize the

public to obtain certain political decisions. Interaction of public authorities with international organizations is regulated by a set of legal instruments that ensure cooperation, exchange of information, fulfillment of international obligations and compliance with international standards, such as: international treaties; legislation; agreements and memoranda; internal rules and regulations; diplomatic instruments; financial instruments. These tools may vary in relations from a specific country and the specifics of relations with international organizations.

Preventing and combating domestic violence is a global issue, and many international organizations work with public authorities to develop and implement strategies and programs in this area. Thus, the United Nations plays an important role in working with governments to prevent domestic violence and protect the rights of victims. The European Commission of the EU actively cooperates with member states and other countries in the field of domestic violence. They provide financial support for projects and research and promote initiatives to improve legislation and policy in this field.

The Council of Europe proposed the Istanbul Convention, which is the first international convention aimed at preventing and combating domestic violence. Many other international organizations, such as UNICEF, the UN Women's Fund, the World Health Organization, are also working in the field of domestic violence prevention. They fund projects, conduct research and provide advice to member countries.

Cooperation between international organizations and public authorities is carried out in the joint development of strategies, information exchange, training, financial support and provision of technical assistance for the implementation of measures to prevent and counter the domestic population. Such initiatives contribute to raising awareness of the problem, improving legislation and policy, and supporting victims of violence.

In general, international cooperation is important in the fight against the domestic violence, because this problem crosses national borders and requires coordination of forces at all levels - from the global to the whole local. Foreign experience and international standards can serve as a great source of learning and

inspiration for a country in developing and implementing effective strategies to combat the domestic violence. Different countries and regions have their own experience of cooperation with international organizations, such as the UN, the European Union, the Council of Europe and others.

Considering the European vector of Ukraine's development, in our opinion, it is the European experience of the development of international organizations with public authorities in preventing domestic violence deserves attention.

In Europe, there are legal instruments in the fight against violence against women and domestic violence: The Istanbul Convention (Council of Europe Convention on preventing and combating violence and domestic violence) [5], the European Directive on the rights of victims (Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA) [6] and European protection orders [7].

In 2017, the EU signed the Istanbul Convention. After six years of discussions, the EU formally acceded to the Istanbul Convention in June 2023. The EU's accession is a strong symbolic commitment and paves the way to improve the legal situation for victims of violence.

The Convention is the first international treaty specifically tackling violence from a gender perspective.

It recognizes 'the structural nature of violence against women' and 'that domestic violence affects women disproportionately', while recognizing that men may also be victims of such violence.

The Istanbul Convention aims to tackle violence in a holistic manner by including obligations

structured around four main pillars:

1. Integrated policies;
2. Prevention of all forms of violence;
3. Protection of victims from further violence;
4. Prosecution of perpetrators [8].

Primary prevention of violence against woman and gender-based violence (stopping it before it occurs) is harder to evaluate than secondary prevention (early identification and crisis intervention) and tertiary prevention (long-term support and recovery), but it is critical as it creates a long-term paradigm shift in behaviors, attitudes and systemic power structures [9].

Violence against women is considered in the Convention as a violation of human rights and a form of discrimination. The Convention calls for the involvement of all relevant public institutions and services in the fight against violence against women and domestic violence to coordinate activities. This means that government institutions and non-governmental organizations should not act alone, but work on the basis of cooperation agreements.

An important condition for combating violence is prevention, which aims to avoid violence, timely detection, mitigation of consequences. The Convention contains separate articles devoted to the prevention of violence, including: General obligations; Awareness raising; Education and training of specialists; Preventive interventions and corrective programs; Media support. Preventive measures should be aimed at both individuals and society as a whole, since domestic violence is the result of the influence of not only individual factors, but also the environment. Accordingly, prevention is effective at all levels: from individual to society. It is directed at the general social order, social norms, daily interaction and the individual.

Prevention is a key element of a coordinated and strategic response to end violence against women and must be implemented alongside the provision of adequate and effective services, protection and justice. The sphere of prevention is one of the four main principles of the integrated approach to violence against women, which underlies the Council of Europe Convention on preventing and combating violence against women and domestic violence. Preventive measures are particularly strategic in the long-term vision of ending violence against women, as they aim to bring about far-reaching changes in attitudes and ultimately behavior. No intervention to reduce gender-based violence can be effective without changing perceptions and attitudes. The Istanbul Convention clarifies this long-term vision and, as a guiding principle for all preventive measures, requires States Parties to promote changes in

the social and cultural patterns of behavior of women and men in order to eradicate prejudices, customs and all practices based on negative gender stereotypes.

In addition to legal instruments, the European Union supports policies to prevent violence against women and domestic violence through measures such as funding programs, awareness-raising and research development.

Thus, in 1997, the European Union launched an initiative to combat violence against women and domestic violence through the Daphne program. The purpose of the program is to protect children, youth and women from violence. The program financed non-governmental organizations and research projects supporting women and children who were victims of violence. Initially a one-year initiative, the program has been integrated into the Rights, Equality and Citizenship program since 2014. The goal of the projects is to protect children, youth and women from all types of violence, human trafficking and achieve a high level of health care, well-being and social unity. The purpose of the Daphne Program is to support the activities of organizations (including NGOs) and local authorities to protect women and children and prevent violence against them. Daphne adds value to this work at European Community level and encourages the exchange of ideas and best practices through the formation of networks and partnerships and the implementation of pilot projects. They provide opportunities for training, information sharing, skills transfer and comprehensive coverage of problem areas, all designed to best serve the interests of those affected by violence. In addition, Daphne supports activities aimed at raising awareness of violence among the general public and groups at risk, as well as actions involving research and workshops on the topic of violence. It is important that all this work is done through new European networks and with the aim of joint European activities and sharing of best practices.

Another line of work is in the area of awareness raising. National campaigns to combat domestic violence are very common and, as a rule, are carried out jointly by state bodies and non-governmental organizations, including international ones, combining state support with special knowledge and experience in the field of gender-based violence against women. Recent trends in campaigning methods include the use of websites and information materials specifically designed to meet

the needs of particularly vulnerable target groups who have been victims of domestic violence. In the European region, campaigns and other awareness-raising activities mainly focus on intimate partner violence or domestic violence. In this direction, the EU financed campaigns conducted by national governments and supported projects of non-governmental organizations aimed at combating violence against women and children. The commission introduced NON.NO.NEIN.

The NON.NO.NEIN. campaign (using the hashtag #SayNoStopVAW) is carried out by the European Commission with the aim of raising awareness about the issue of violence against women, drawing attention to the work done by a variety of stakeholders across the EU, disseminating good practices and connecting stakeholders across borders.

The third vector of EU work is research on violence against women. No score is given to the EU in the domain of violence, due to a lack of comparable EU-wide data. Data on gender-based violence remains scarce and lacks comparability across the EU. Clear, comprehensive and systematic definitions of all forms of violence against women and girls are crucial for informed decision-making.

An important challenge in the last decade has been to facilitate the collection of data on violence made a significant contribution to the development of national capacity to collect comparable and reliable data on EU violence against women, including domestic violence. The European Institute for Gender Equality (EIGE) has a crucial role in this efforts. The European Institute for Gender Equality is an EU agency working to make gender equality a reality in the EU and beyond. For this, it provides research, data and good practices.

EIGE has created an online tool mapping the sources of administrative data and other statistics, and conducted research on violence against women and female genital mutilation. EIGE is working to improve the collection and harmonization of data on violence against women collected by police, justice, health and social services across the EU. Since 2017, violence against women has been included in the Gender Equality Index.

Coordinated action is the last element in the European Union's system of measures to prevent and combat violence against women and domestic violence. An example of coordinated action is the Spotlight initiative.

Spotlight Initiative is the world's largest dedicated effort to end all forms of violence against women and girls by 2030. It is implemented as a global multi-year partnership between the European Union and the United Nations. Spotlight Initiative is responding to all forms of violence against women and girls, with a particular focus on domestic and family violence, sexual and gender-based violence and harmful practices, femicide, trafficking in human beings and sexual and labor exploitation.

Today Spotlight Initiative is on the ground in more than 25 countries across the globe with targeted investments to end violence against women and girls. Each Spotlight Initiative country and regional program is designed to address legislative and policy gaps, strengthen institutions, promote gender-equitable attitudes, provide quality services for survivors, produce disaggregated data and empower women's movements, while leaving no one behind.

As one of Spotlight Initiative's most critical partners, meaningful investment in civil society is a key priority for the Initiative. Women's organizations at national and local levels are the main partners of Spotlight Initiative across all outcome areas.

The EU has committed to providing the Initiative with 500 million euros of funding. The commission works with many international partners in its work to end violence against women. They range from the UN and the Council of Europe to research institutions and NGO networks spanning EU countries, directly addressing various sub-themes related to violence against women and providing expertise and guidance.

On 1 February 2024, in the framework of the mid-term revision of the EU long-term budget, EU leaders agreed to set up the Ukraine facility for the years 2024-2027 to provide stable and predictable financing to Ukraine. It is a new EU instrument to help the country in its recovery, reconstruction and modernization on its path towards EU accession.

The European Council underlines the need to ensure, together with partners, stable, predictable and sustainable financial support for Ukraine for the period 2024-

2027. To contribute to the recovery, reconstruction and modernization of the country, foster social cohesion and progressive integration into the Union, with a view to possible future Union membership, a Ukraine Facility for the period 2024-2027 will be set up. For the period 2024-2027, the sum of the overall resources made available from the Facility will not exceed EUR 50 billion [10].

This testifies to trust in transformations and a real desire of Ukraine to become part of the European community.

Conclusions. European Society has a huge experience in the field of ensuring measures of preventing domestic violence through establishing gender equality value. European way of developing requires Ukraine to adapt the current rules and procedures, taking into account the experience of the European Union in the field of ensuring personal safety and gender equality as an integral component of the prevention and prevention of the spread of domestic violence.

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