



RESOLUTION OF THE VERKHOVNA RADA OF UKRAINE

On Recommendations of the Parliamentary Hearings on the Current Situation and New Tasks in the Prevention of Gender Violence

The Verkhovna Rada of Ukraine hereby **resolves**:

- 1.** To approve the Recommendations of the Parliamentary Hearings on the Current Situation and New Tasks in the Prevention of Gender Violence (attached herewith).
- 2.** By 1 January 2008 the Cabinet of the Ministers of Ukraine shall inform the Verkhovna Rada of Ukraine of the current stage of implementation of the Recommendations based on the results of the Parliamentary Hearings on the Current Situation and New Tasks in the Prevention of Gender Violence.
- 3.** The Committee of the Verkhovna Rada of Ukraine on Human Rights, Minority Rights and International Relations shall be assigned the task of monitoring the implementation of this Resolution.

**Chairman of the Verkhovna Rada
of Ukraine**

O. MOROZ

Kyiv, 22 March 2007

No. 817-V

APPROVED BY
Resolution of the Verkhovna Rada of Ukraine
No. 817-V of 22 March 2007

RECOMMENDATIONS
of the Parliamentary Hearings on
the Current Situation and the New Tasks
in the Prevention of Gender Violence

The participants of the Parliamentary Hearings on the Current Situation and New Tasks in the Prevention of Gender Violence (*hereinafter referred to as the «participants of the parliamentary hearings»*) held on 21 November 2006 stated that violence was a significant obstacle to ensuring human rights and fundamental freedoms. As a rule, women suffer from violence the most.

Domestic violence is the most widespread and complicated form of violence to combat. Domestic violence is inherent in many countries, irrespective of positive achievements in the legislative, political and practical spheres.

The problem of combating violence against women has constantly been in the forefront of global issues since the 1990s with the adoption of the UN Declaration on the Elimination of Violence against Women (1993), the UN Convention against Transnational Organized Crime and Protocol to Prevent, Suppress, and Punish Trafficking

in Persons (especially women and children) (2000), the Beijing Declaration and Platform for Action adopted at the 4th World Conference on Women (Beijing, 1995) and the Resolution on Further Actions and Initiatives to implement the Beijing Declaration and the Platform for Action adopted by the 23rd special session of the UN General Assembly (2000).

The efforts of the Council of Europe in combating violence against women are confirmed by the adoption of a number of recommendations to member states of the Council of Europe by the Committee of Ministers, namely: Recommendation No. R(85) 4 on Violence in the Family, Recommendation No. R(91) 11 concerning sexual exploitation, pornography and prostitution, of, and trafficking in children and young adults, Recommendation No. R(93) 2 on the medico—social aspects of child abuse, and Recommendation No. R (2000) 11 on actions against trafficking in human beings for the purpose of sexual exploitation.

In recent years the counteractions of the European Community against violence have reached a new level. On 30 April 2002 the Committee of Ministers adopted Recommendation (2002) 5 on the protection of women against violence, which is aimed at the mobilization of efforts of member states of the Council of Europe in combating violence against women. The above Recommendation defines «violence against women» as any act of gender-based violence, which results in, or is likely to result in, physical, sexual or psychological

harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.

By adopting Resolution 1512 (2006) on parliaments united in combating domestic violence against women in May 2006, the Parliamentary Assembly of the Council of Europe (PACE) initiated conducting a Europe an-wide campaign of the Council of Europe to combat violence against women at the level of the national parliaments of member states. The parliamentary dimension of the campaign began in November 2006 and will last until March 2008.

Participants of the parliamentary hearings supported the initiative of the Parliamentary Assembly of the Council of Europe and noted that these hearings became a practical springboard for Ukraine being included in the pan-European campaign of the Council of Europe in combating violence against women.

In the course of fulfilling the international obligations it took upon itself, Ukraine is consistently taking measures aimed at combating violence against women. The last decade is marked by significant achievements in the development of the legislative base and the institutional mechanism in this sphere. In particular, on 12 July 1995 the Verkhovna Rada of Ukraine adopted the Resolution on Recommendations of the Participants of the Parliamentary Hearings on the Implementation of the UN Convention on Elimination of All Forms of Discrimination against Women

by Ukraine. This Resolution contains a direct statement about the need to establish state subdivisions for providing qualified psychological assistance and consulting women that have suffered from domestic violence and disrespect. The above Resolution activated Ukraine to execute the UN Convention on Elimination of All Forms of Discrimination against Women, while the National Plan of Actions for 1997-2000 on improving the status of women and their role in society and the National Plan of Actions on improving the status of women and assistance in implementation of gender equality in society in 2001-2005 called for a number of actions in combating domestic violence and human trafficking.

On 5 March 1999 the Verkhovna Rada of Ukraine adopted the Resolution on the Declaration on the Fundamentals of the State Policy of Ukraine on Family and Women. On 14 March 2001 the Cabinet of Ministers of Ukraine approved the program «Ukrainian Family» aimed at strengthening the family institution, establishment of partnership relations within a family and equal distribution of duties among couples.

The efforts of government authorities were also concentrated on combating the rapidly growing level of human trafficking.

Trafficking in women and forced prostitution are the main characteristics of violence and are serious violations of fundamental human rights. In recent years our state has taken noticeable actions in combating

human trafficking. In 1999 the Cabinet of Ministers of Ukraine adopted the first State Program on the Prevention of Trafficking in Women and Children. In 2002 it approved a new Comprehensive Program on the Prevention of Human Trafficking for 2002-2005. These programs envisaged financial, administrative and organizational resources to effectively combat human trafficking.

In 2004 the Verkhovna Rada of Ukraine ratified the UN Convention against Transnational Organized Crime (Palermo Convention) and additional protocols to it, namely the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. In January 2006 amendments to Article 149 of the Criminal Code of Ukraine were adopted (human trafficking or any other illegal agreement with respect to a human being), under which punishment for human trafficking is brought into accordance with the Palermo Convention.

In the opinion of participants of the Parliamentary Hearings, adoption of the Law of Ukraine on Prevention of Domestic Violence, which became the first special law in the sphere of combating violence against women in countries of Central and Eastern Europe, is a significant event. Adoption of this Law was testimony to the fact that actions against gender violence have become an integral part of state policy.

The participants of the parliamentary hearings also emphasized that the actions of the executive bodies aimed at preventing domestic violence require significant improvement.

In many regions of Ukraine there are no institutions for victims of domestic violence, such as crisis centres and centres of medical and social rehabilitation of victims of domestic violence; the level of social awareness advertisements on the prevention of domestic violence is insufficient; information and educational work needs improvement; interdepartmental coordination of the prevention of domestic violence is insufficient; and, finally, there is no statistical reporting in this sphere. There are cases of refusal of relevant bodies to accept complaints of domestic violence.

Practice in applying the Law of Ukraine on the Prevention of Domestic Violence shows that this legislation is in dire need of improvement. There are also problems with the isolation of individuals that commit acts of domestic violence from the victims of such violence. The issue of application of sanctions for committing acts of domestic violence and violating the requirements of protection must be reformulated taking a differentiated approach.

This requires affirming that any signs of violence against women in any of its forms or manifestations are a violation of the human rights and fundamental freedoms of women and preventing the exercise of such rights that may result in discrimination against women in society and in the family,

Expressing concern that violence against women in the family and society, irrespective of its form, continues to grow;

Believing that combating violence against women calls for urgent and effective actions aimed at the prevention, investigation and punishment for all forms of violence against women, including domestic violence.

The participants of the Parliamentary Hearings on the Current Situation and New Tasks in the Prevention of Gender Violence appeal to all empowered officials to:

- show by their own example respect for women's rights, refrain from condemning anybody, take all the necessary actions aimed at eradicating violence against women and render assistance to the victims of violence;
- provide women the opportunity to fully exercise their rights by forming a society that respects women and take effective measures to bring to justice offenders that committed acts of violence against women; and
- ensure the protection of women's rights on the part of family members given that domestic violence is the most widespread form of violence against women;

And, finally, call on all state authorities of Ukraine to participate within their capacity in the pan-European campaign initiated by the Council of Europe to combat violence against women, and recommend:

1. To the Verkhovna Rada of Ukraine:

- 1) to improve legislation on the prevention of domestic violence, namely concerning the types of sanctions (implementation of alternative types of punishment, including community services) with respect to individuals that commit acts of domestic violence;
- 2) to organize the placement of information about conducting parliamentary events aimed at the prevention of gender violence on the web-site of the Verkhovna Rada of Ukraine and in the newspaper «Holos Ukrainy»; and
- 3) to strengthen parliamentary control over the observance of legislation on the prevention of gender violence.

2. To the Cabinet of Ministers of Ukraine:

- 1) to provide for financing programs aimed at the prevention of domestic violence, human trafficking, protection of the reproductive health, establishment and operation of a network of crisis centres for victims of domestic violence, centres of medical and social rehabilitation of victims of domestic violence and activity of the relevant authorities responsible for taking actions on the prevention of domestic violence when drafting laws on the State Budget of Ukraine for 2008 and the next years; and
- 2) to direct the activity of the relevant executive bodies at taking actions aimed at the prevention of gender violence, namely:

The Ministry for Family, Youth and Sports –

To develop a set of measures aimed at conducting a nationwide campaign of the Council of Europe against violence against women;

To publish of Recommendation Rec (2002) 5 of the Committee of Ministers of Council of Europe and Explanatory Memorandum in the official state language;

To develop a database of authorities, institutions and organizations, the activity of which is aimed at the prevention of gender violence;

To ensure early identification of families experiencing domestic violence or families that face a real threat of such violence and organize social support to such families;

To develop methods of early detection of children suffering from domestic violence in and outside the family and implement a stage-by-stage electronic database of children that have faced difficult real-life situations;

To engage non-government organizations in the implementation of actions against domestic violence and support their activity;

To engage men in active participation in combating all forms of violence against women, including domestic violence;

To make a synopsis of the practice of applying legislation on the prevention of domestic violence;

To draft and disseminate methodical recommendations on organizing the prevention of domestic violence;

To enhance the level of qualification of specialists on the prevention of domestic violence;

To collect and regularly publish statistical information about the scope of domestic violence and actions aimed at its prevention; and

To make available large-scale information and materials to enhance the population's level of legal culture on problems related to domestic violence;

The Ministry of Internal Affairs of Ukraine —

To give priority to preventing and combating gender violence, in particular human trafficking and domestic violence;

To submit proposals on raising the legal status of district police officers to enhance the effectiveness of actions taken against domestic violence and reinforce the protection of the victims of such violence;

To ensure prompt consideration of appeals and notifications of domestic violence and not allow for refusal to register appeals of domestic violence;

To improve the level of investigation of acts of violence against women; and

To provide for special attention to the victims of domestic violence, that suffer from repeat offenses;

The Ministry of Health of Ukraine –

To ensure the establishment of a network of centres of medical and social rehabilitation of victims of domestic violence;

To introduce training courses on the prevention of domestic violence and the support of its victims for all employees working in the educational programs of secondary, graduate and post-graduate medical institutions;

The Ministry of Education and Science of Ukraine –

To introduce training courses on the prevention of domestic violence and the support of its victims in the educational programs of all institutions in which medical and pedagogical workers, psychologists, lawyers and human rights defenders are trained;

To introduce training sessions and seminars on preventing and combating domestic violence in secondary and higher education institutions;

The State Statistics Committee of Ukraine –

To improve the system of state statistical reporting on the prevention of domestic violence;

To the State Committee for Television and Radio Broadcasting of Ukraine –

To ensure systematic coverage of issues on the prevention of domestic violence and human trafficking by the electronic mass media within the framework of state request for the production and distribution of TV programs for state purposes;

To ensure production and placement of social awareness advertisements on the prevention of gender violence on the terms and conditions of state request;

To provide for the publication of literature that will contribute to the prevention of gender violence on the terms and conditions of state request; and

To assist in covering relevant tasks on the prevention of gender violence in the printed mass media;

The Council of Ministers of the Autonomous Republic of Crimea, regional Kyiv and Sevastopol City State Administrations –

To take relevant measures on the prevention of all forms of violence against women, in particular, domestic violence; and

To ensure the execution of regional programs aimed at the implementation of the state policy against domestic violence.