



Ukraine's Compliance with the International Convention on Civil and Political Rights

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Founded in 1983, **The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates has previously published multiple reports on violence against women as human rights issue, provides consultation and commentary on draft laws on domestic violence, and trains lawyers, police, prosecutors, and judges to effectively implement new and existing laws on domestic violence.

Center "Women's Perspectives" (Women's Perspectives) is a women's non-governmental organization that during its 19 years of existence has become one of the leading third sector organizations in Ukraine. The Center registered as an NGO at the Lviv Department of Justice on 6 April 1998. The organization's aims are to protect women's rights and ensure equal rights and opportunities for women and men in all spheres of life. The organization provides direct services for women victims of violence and discrimination, in particular domestic violence; works with law enforcement, the judiciary, and governmental bodies to improve the state response to issues of violence against women and gender discrimination; conducts research and monitoring; works on preventing violence against women and gender discrimination; actively works on legislation and policies on combatting violence against women and ensuring gender equality development and implementation.

EXECUTIVE SUMMARY

1. Domestic violence remains a serious problem in Ukraine. The State party has improved data collection on domestic violence, but underreporting is commonplace. Ukraine has taken positive steps by adopting the Law “On Preventing and Combating Domestic Violence” and by amending the Criminal Code to broaden the definition of sexual violence. Nonetheless, implementation of these changes has been inadequate and has failed to protect victims and hold perpetrators accountable. The State party also fails to provide adequate support and services to victims. Moreover, the State Party’s failure to combat stereotypes has hindered advancements toward gender equality and has stymied efforts to ratify the Istanbul Convention.

Ukraine fails to protect women from domestic violence and other forms of violence against women (List of Issues para 8)

2. In its 2019 List of Issues, the Committee requested information on the effects of new domestic violence legislation, including information on steps taken to address “social norms and attitudes condoning gender-based violence,” to encourage reporting, to improve the victim referral system, to improve the implementation of protection orders, and to provide adequate access to shelters and other victim services.¹
3. In its Replies to the List of Issues, Ukraine highlighted several changes related to new legislation “On Preventing and Combating Domestic Violence.” For example, the new law criminalized domestic violence and established a register to track domestic and gender-based violence cases. Ukraine noted that 23 shelters are available to victims of domestic violence. It also reported that National Police received 141,814 complaints of “violence and other incidents connected with domestic violence” in 2019. Of that number, 30,760 people were fined, 1041 placed in administrative detention, and “7578 persons were released under Article 21, 22 of the CAOU.”²

Domestic violence is widespread and underreported

4. Statistical data on domestic violence collected by police have improved over the last few years but are still incomplete. The State party does not disaggregate statistics by age (victim and perpetrator); the relationship between the victim and the perpetrator; and the place of the crime (home or public place). These statistics are particularly important in cases when women are killed.³
5. Moreover, reported cases do not represent the actual extent of domestic violence in Ukraine. Despite inadequate data collection, sources describe rates of domestic violence as “widespread” and “common,” and they state that the number of women victims is “high.” According to the Ukrainian National Police, there were 115,473 complaints of domestic violence in 2018, of which nearly 90,000 were from women.⁴ Most of the claims of domestic

¹ Human Rights Committee, *List of Issues in relation to the eighth periodic report of Ukraine*, (3 December 2019), U.N. Doc. CCPR/C/UKR/Q/8. ¶8. Available online at file:///C:/Users/localadmin/Downloads/G1933540%20(2).pdf.

² Human Rights Committee, *Replies of Ukraine to the list of issues in relation to its eighth periodic report*, (23 April 2021), U.N. Doc. CCPR/C/UKR/RQ/8. ¶¶32-37. Available online at file:///C:/Users/localadmin/Downloads/G2009824%20(1).pdf.

³ Personal Communication from NGO to the Advocates for Human Rights, via email, Jan. 30, 2020 (on file with authors).

⁴ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 24, 2019 (on file with authors).

violence in 2018 led to an official police record under Article 173-2 of the Code on Administrative Offences.⁵ (As discussed in paragraph 16 below, these reports are often flawed and further endanger victims.) Data on prevalence are also lacking, yet a 2014 national survey found that 22% of Ukrainian women have experienced physical or sexual violence in their lifetime.⁶ An earlier survey found that at least 33% of Ukrainian women have experienced some form of domestic violence.⁷ Nonetheless, most victims never report their abuse; one survey found that 75% of victims of domestic violence in Ukraine did not seek any help.⁸ Another 15% sought help only from friends and family, leaving just 10% of victims who reported any incidents of domestic violence to police or other authorities.⁹ These statistics are consistent with a 2015 report that found women rarely applied for psychological, medical, or legal assistance or registered a complaint with the police. The report attributed this inaction to several factors, including lack of awareness of the availability of services, mistrust of authorities, and cultural attitudes and stereotypes about domestic violence as a private, family matter.¹⁰ Women sought help only in “extreme cases which ... may lead to severe injury.”¹¹ During the COVID-19 pandemic, public health restrictions led to a surge in domestic violence cases reported to hotlines.¹² Sources have reported that cases increased by between 30 and 50 percent.

Recent legislation is a positive step

6. Since the last review, Ukraine has taken some significant steps towards improving accountability for perpetrators in cases of domestic violence and enhancing services and protections for victims of gender-based violence. In January 2018, the Law of Ukraine № 2229 “On Preventing and Combating Domestic Violence,” mentioned above in paragraph 3, came into force. The law defines domestic violence broadly to include physical, sexual, psychological, and economic violence. It also includes measures to prevent domestic violence and to provide efficient assistance to its victims. It establishes criminal penalties for domestic

⁵ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 24, 2019 (on file with authors).

⁶ UNITE and UN Ukraine, 16 Days of Activism against Gender-Based Violence in Ukraine, Factsheet (2018), available online at

<https://ukraine.unfpa.org/sites/default/files/pub-pdf/2018-11-20%20UNFPA%20Factsheet%20eng2.pdf>.

⁷ UN Development Program in Ukraine, *Monitoring of National Court Practice of Criminal, Civil Cases and Administrative Relations Related to Courts* (2014) (in Ukrainian),

https://www.undp.org/content/dam/ukraine/docs/%d0%9b%d0%9a/Monitoring_final.pdf.

⁸ UN Development Program in Ukraine, *Monitoring of National Court Practice of Criminal, Civil Cases and Administrative Relations Related to Courts* (2014) (in Ukrainian),

https://www.undp.org/content/dam/ukraine/docs/%d0%9b%d0%9a/Monitoring_final.pdf.

⁹ UN Development Program in Ukraine, *Monitoring of National Court Practice of Criminal, Civil Cases and Administrative Relations Related to Courts* (2014) (in Ukrainian),

https://www.undp.org/content/dam/ukraine/docs/%d0%9b%d0%9a/Monitoring_final.pdf.

¹⁰ Ukrainian Centre for Social Reforms, *Gender-Based Violence in the Conflict-Affected Regions of Ukraine* (2015), https://ukraine.unfpa.org/sites/default/files/pub-pdf/gbv%20in%20the%20conflict-affected%20regions%20of%20ukraine_eng.pdf.

¹¹ Ukrainian Centre for Social Reforms, *Gender-Based Violence in the Conflict-Affected Regions of Ukraine* (2015), 6,

https://ukraine.unfpa.org/sites/default/files/pub-pdf/gbv%20in%20the%20conflict-affected%20regions%20of%20ukraine_eng.pdf.

¹² Human Rights Watch, *World Report 2021: Ukraine Events of 2020*, (2021), available online at

<https://www.hrw.org/world-report/2021/country-chapters/ukraine#>; Kateryna Busol, *Domestic Violence in Ukraine: Lessons from COVID-19*, Chatham House, July 23, 2020, <https://www.chathamhouse.org/2020/07/domestic-violence-ukraine-lessons-covid-19>.

violence crimes. The law introduces urgent prohibitive (emergency) orders and restraining orders to protect victims.¹³

7. Ukraine also amended its Criminal Code to update its laws on rape and sexual violence. The amendment removed the requirement that a victim show force or other vulnerability to prove rape. Prosecutors must prove only that the victim did not consent in order to establish a crime of sexual violence.¹⁴
8. Ukraine's amendments to the Criminal Code also included article 126-1 that criminalizes domestic violence and establishes liability for systematic domestic violence.¹⁵

Implementation of the domestic violence law is limited

9. Implementation of Ukraine's new domestic violence law is limited. There is a large gap between the number of women whom the State's new and existing laws have helped (between approximately 700 and 1100 women who have applied or qualified for legal aid or similar) and the reported number of domestic violence cases (over 100,000 per year). (As noted in paragraph 4 above, these reported numbers do not reflect the full scope of domestic violence.¹⁶)
10. The Law on Preventing and Combating Domestic Violence includes provisions for urgent prohibitive orders and restraining orders to shield victims from continued violence. An urgent prohibitive order against the perpetrator is a special measure police take in response to domestic violence and is aimed at the immediate cessation of domestic violence, eliminating the danger to the life and health of victims, or preventing future violence. Police officers may issue an urgent prohibitive order to the perpetrator in the event of an immediate threat to the life or health of the victim, based on a risk assessment. The order may last up to 10 days. An urgent prohibitive order can include the following measures: an obligation to leave the victim's place of residence, prohibition of entering and staying in the victim's place of residence, and prohibition of any contact with the victim.¹⁷
11. The procedure for issuing urgent prohibitive orders allows police to place victims in unnecessary danger. In April 2019, the Ministry of Justice together with the Ministry of Social Policy adopted the Procedure of Risk Assessment of Domestic Violence (Procedure), which is essential for issuing urgent prohibitive orders. Prior to that date, the provision on urgent prohibitive orders was not in effect. The Procedure involves assessing the probability of a continuation or recurrence of domestic violence and the probability of grave consequences resulting from such violence, including the death of the woman. If the risk is high, the police are required to issue a prohibitive order immediately. The Procedure includes a Form for Risk Assessment of Domestic Violence. This form, however, lacks a space for the victim's signature. As a result, a police officer can fill in the form as he/she considers appropriate and

¹³ Law of Ukraine on Prevention and Combating Domestic Violence, No. 2229-VIII, VRU, 2017.

¹⁴ Committee on the Elimination of Discrimination Against Women, *Concluding observations on the eighth periodic report of Ukraine, Addendum, Information provided by Ukraine in follow-up to the concluding observations*, (August 26, 2019), CEDAW/C/UKR/CO/8/Add.1, ¶ 11.

¹⁵ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

¹⁶ International Covenant on Civil and Political Rights, *Eighth periodic report submitted by Ukraine*, (Jan. 30, 2019), U.N. Doc. CCPR/C/UKR/8, ¶¶ 38, 40; Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 24, 2019 (on file with authors).

¹⁷ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

not show it to the victim for confirmation. If the officer omits or mischaracterizes information, a victim at high risk may be denied an urgent prohibitive order.¹⁸

12. A restraining order temporarily restricts the rights of, or imposes duties on, a person who has committed domestic violence. It is supposed to ensure the safety of a victim of domestic violence. A restraining order may include: 1) a ban against the perpetrator staying in the place of cohabitation with the victim; 2) elimination of any obstacles that the perpetrator created to impede a victim's use of particular property ; 3) restrictions on communication with a child-victim of violence; 4) a ban on approaching within a certain distance of the place of residence, study, work, or other places that the victim frequent; 5) a ban on the perpetrator searching for or trying to communicate with the victim, either personally or through third parties, if she is at a place unknown to the offender; 6) a prohibition on the perpetrator corresponding with the victim via telephone or other means of communication, either personally or through third parties.¹⁹ The decision to issue a restraining order or to refuse to issue a restraining order is made on the basis of a risk assessment. A court decides on specific measures to limit the rights or duties of the perpetrator in accordance with the circumstances of the case and the statement filed by the victim.
13. Restraining orders provided for in Ukraine's domestic violence legislation do not meet best practice standards. For example, restraining orders are issued by the court and can last 1-6 months,²⁰ contrary to the best practice standard which calls for at least one year duration.
14. Authorities do not effectively implement restraining orders and urgent prohibitive orders and their practices may place victims at greater risk of continued violence. These orders are vital to ensuring the safety of victims of domestic violence. Ukraine's law, however, does not envisage how to evict the perpetrator in cases where the perpetrator does not willingly agree to leave a shared residence. While the law does impose criminal responsibility for non-compliance with a restraining order, the perpetrator often continues to live with the victim while the court hears these cases. The law contains no mechanism to force a perpetrator to leave a common place of residence, as the State Executive Service is not a responsible body for implementation of the domestic violence law and is not entitled by law to execute a restraining order.²¹
15. Stakeholders report that police and court practice on urgent prohibitive orders and restraining orders is improving, but prejudice and discrimination against victims are still significant. Authorities often give priority to the perpetrator's property and housing rights over the victim's rights to protection and safety from violence.²²
16. Incomplete police reports often lead to dismissals of domestic violence cases. When a court considers a domestic violence case, such as a request for a restraining order or a petition to determine visitation and custody rights, it notes whether the perpetrator has been held accountable for an administrative offence of domestic violence. A judicial decision on

¹⁸ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

¹⁹ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

²⁰ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

²¹ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

²² Personal Communication from NGO to the Advocates for Human Rights, via email, Jan. 30, 2020 (on file with authors).

administrative liability for domestic violence under article 173-2 Code of Ukraine on Administrative Offences is often the only evidence to establish this history of domestic violence. For the court to find that the perpetrator committed an administrative offence of domestic violence, it needs to consider an official report prepared by the police. Yet the police report is often of very low quality and insufficient for a court decision. In such circumstances, the court generally returns the report to the police for revision. By the time the police send the revised report back to the court, the two-month period for holding the perpetrator accountable has often passed. As a result, the court dismisses the case without establishing the perpetrator's guilt. A victim cannot use this report as evidence when she files for a restraining order or in any other civil case related to domestic violence.²³

Implementation of Criminal Code amendments is inadequate

17. As noted in paragraph 7 above, in January 2019, amendments to the Criminal Code of Ukraine entered into force that changed the definition of rape and other forms of sexual violence to include any “sex act” committed without the consent of the victim.²⁴ These amendments also criminalized domestic violence.²⁵
18. Little has changed in terms of how police and prosecutors treat these crimes, limiting victim access to justice.²⁶ Stakeholders report that the government has not developed a methodology or any guidelines for the investigation and prosecution of sexual violence crimes under the new law. According to the state register of court decisions in 2019, no cases of rape or sexual violence were prosecuted on the grounds of lack of consent. Rather, all cases were investigated as if the previous law still applied and required the use of force or a vulnerable victim. As a result, these amendments have not given victims of sexual violence adequate access to justice; there has been no change in how the State Party pursues cases of sexual violence.²⁷
19. Implementation of article 126-1 criminalizing domestic violence is limited. Stakeholders have identified several gaps in implementation related to pre-trial investigation and upholding victims' rights. Police investigators use different criteria for the “systematic” nature of domestic violence.²⁸ Investigators also often do not consider evidence outside of bodily injury, such as psychological violence.²⁹ During pre-trial investigation, investigators and prosecutors often take the same approach to collecting evidence as they would for non-domestic violence cases without taking into account the gendered nature of domestic violence or the specifics of domestic violence cases. This approach often leads to premature closure of cases.³⁰ Similarly,

²³ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

²⁴ Committee on the Elimination of Discrimination Against Women, *Concluding observations on the eighth periodic report of Ukraine, Addendum, Information provided by Ukraine in follow-up to the concluding observations*, (August 26, 2019), CEDAW/C/UKR/CO/8/Add.1, ¶ 11.

²⁵ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

²⁶ Personal Communication from NGO to The Advocates for Human Rights, via email, January 30, 2020 (on file with authors).

²⁷ Personal Communication from NGO to the Advocates for Human Rights, via email, Jan. 30, 2020 (on file with authors).

²⁸ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

²⁹ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

³⁰ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

investigators do not take into account previous history of domestic violence which results in an underestimation of the seriousness of the crime.³¹ Further, during the trial itself, prosecutors and investigators have a biased attitude toward victims and do not recognize the testimony of children who witnessed domestic violence, contrary to the law.³²

Ukraine fails to provide adequate support and services to victims of domestic violence

20. Shelters and other services for victims have been inadequate, particularly during the COVID-19 pandemic. Under normal circumstances, women in rural areas already face a lack of shelters as most are located in cities.³³ During restrictions related to the COVID-19 pandemic, women have been experiencing further restrictions on access to services.³⁴ Legal aid offices have been holding only remote consultations and public transit has been cut back.³⁵ A surge in reported domestic violence cases at the beginning of the COVID-19 pandemic also led to a lack of shelter space overall.³⁶

Ukraine's failure to confront and combat stereotypes has hindered advancements

21. Despite legislative progress, resistance from certain organizations and groups opposed to gender equality threatens to undermine Ukraine's progress in protecting women from violence. As discussed in paragraphs 25–26 below, this resistance has also stymied efforts to ratify the Istanbul Convention.
22. Stakeholders in Ukraine note that there is a growing trend in State policies to emphasize the “preservation of family and family values” over the protection of women's rights or combating domestic violence. Certain initiatives currently promote the establishment of special government bodies on “family protection issues” and other legislative initiatives, national and regional “family forums,” and the incorporation of “family values” into school agendas, among other things.³⁷ On 25 August 2021 the Ministry of Education and Science of Ukraine and the All-Ukrainian Council of Churches and Religious Organizations signed a cooperation agreement. The document, which is designed to be in effect for 5 years, emphasizes “the prevention of embedding in the educational literature and curricula provisions that contradict the traditional family values of the Ukrainian people.”³⁸ This agreement will shape how the church and state will build educational curricula in Ukraine. Despite article 35 of the Ukrainian Constitution which states that the church should be separated from schools, the new agreement will prioritize the church's main values; it will emphasize morality and spirituality as well as

³¹ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

³² Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

³³ Kateryna Busol, *Domestic Violence in Ukraine: Lessons from COVID-19*, Chatham House, July 23, 2020, <https://www.chathamhouse.org/2020/07/domestic-violence-ukraine-lessons-covid-19>.

³⁴ Kateryna Busol, *Domestic Violence in Ukraine: Lessons from COVID-19*, Chatham House, July 23, 2020, <https://www.chathamhouse.org/2020/07/domestic-violence-ukraine-lessons-covid-19>.

³⁵ Kateryna Busol, *Domestic Violence in Ukraine: Lessons from COVID-19*, Chatham House, July 23, 2020, <https://www.chathamhouse.org/2020/07/domestic-violence-ukraine-lessons-covid-19>.

³⁶ Human Rights Watch, *World Report 2021: Ukraine Events of 2020*, (2021), available online at <https://www.hrw.org/world-report/2021/country-chapters/ukraine#>.

³⁷ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

³⁸ Ministry of Education and Science, AGREEMENT ON COOPERATION BETWEEN MES AND ALL-UKRAINIAN COUNCIL OF CHURCHES AND RELIGIOUS ORGANIZATIONS, Aug. 5, 2021, available online (in Ukrainian) at <https://mon.gov.ua/ua/news/ukladeno-ugodu-pro-spivpracyu-mizh-mon-ta-vseukrayinskoyu-radoyu-cerkov-i-religijnih-organizacij>.

the development of traditional family values and authority of the family.³⁹ This growing trend emphasizes the preservation of the family unit and a father's or husband's control of the family over a woman's right to be free from discrimination and violence.

23. Governmental support (at the national, regional, and local levels) of organizations, groups, and political parties that openly oppose equality for women or gender equality has also increased. The government has supported programs such as military camps and other activities that promote militarization, traditional patriarchal gender roles, and use of weapons. Similar programs have targeted children and youth, particularly boys.⁴⁰
24. On January 17, 2020, an inter-factional union was formed in the Verkhovna Rada (Ukrainian Parliament) under the name "Values, Dignity, Family." It consists of 307 deputies, out of a total of 423 deputies in the entire Parliament. This union is the largest inter-factional union in the history of the Parliament. The union's stated goals are "protecting the everlasting values of Ukrainian society and opposing the attempts at destroying the fundamental natural rights in the name of a political fad." The union promises to draft laws to "strengthen family values, the principles of dignified society and upbringing of children and youth based on family values."⁴¹

Opponents of gender equality have thwarted efforts to ratify the Istanbul Convention

25. Ukraine has not ratified the Istanbul Convention. Ukraine signed the Istanbul Convention in November 2011.⁴² The draft law on ratification was submitted to the Ukrainian Parliament in November 2016. It was returned for further development, which was never completed. In May 2019 the draft law was withdrawn under article 105 of the Law of Ukraine "On Verkhovna Rada (Parliament of Ukraine) Regulations."⁴³ In August 2019, newly elected Members of Parliament from the Presidential party stated that they would consult with the Ukrainian Council of Churches regarding any possible ratification of the Istanbul Convention.⁴⁴ The leader of the Prime Minister's "Servant of the People" party recently stated that the prospects for ratifying the Istanbul Convention are "very low."⁴⁵
26. The Ukrainian Council of Churches and other organized opponents of gender equality have stymied efforts to ratify the Istanbul Convention. The Council has stated it is especially concerned about the word "gender" in the Convention. In the opinion of the Council, the Convention could become an instrument of promoting new gender roles and same-sex relationships. Those new roles and relationships, according to the Council, would threaten the traditional institution of the family. Before the Ukrainian Government took up consideration

³⁹ Personal Communication from NGO to The Advocates for Human Rights, via email, Sept. 13, 2021 (on file with authors).

⁴⁰ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

⁴¹ Personal Communication from NGO to the Advocates for Human Rights, via email, Jan. 30, 2020 (on file with authors).

⁴² Chart of signatures and ratifications of Treaty 210, *Council of Europe Convention on preventing and combating violence against women and domestic violence*, Status as of 30/08/2019, https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p_auth=w1SD7T2D, accessed August 29, 2019.

⁴³ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

⁴⁴ Personal Communication from NGO to The Advocates for Human Rights, via email, Aug. 19, 2019 (on file with authors).

⁴⁵ Personal Communication from NGO to the Advocates for Human Rights, via email, Jan. 30, 2020 (on file with authors).

of the Istanbul Convention, initiatives and groups promoting an “anti-gender” message undertook lobbying campaigns aimed directly at undermining support for the Convention.⁴⁶

Suggested recommendations

27. The authors of the report suggest the following recommendations for the Government of Ukraine:

- Conduct awareness-raising campaigns to eliminate discriminatory stereotypes and patriarchal perceptions about the roles and responsibilities of women and men in family and society, in particular regarding tolerance of domestic violence.
- Take active steps to counter current trends on replacing the protection of women’s rights and combating domestic violence with “preservation of family and family values” in state policies.
- Improve the collection of statistics on cases of domestic violence, including ensuring the disaggregation of data by age, perpetrator-victim relationship, and location of crime.
- Take measures to ensure that urgent prohibitive orders and restraining orders are effectively implemented and enforced, with priority on victims’ rights.
- Approve amendments to legislation to ensure restraining orders are properly enforced by including a mechanism to force the perpetrator out of the home in the case that eviction is ordered.
- Waive the two-month limitation on establishing administrative liability in domestic violence cases so that courts have sufficient time to establish a perpetrator’s guilt and impose a penalty.
- Take steps to ensure that victims can read and have the opportunity to sign the domestic violence risk assessment form.
- Increase the number of shelters available for women who are victims of violence for all regions of Ukraine, particularly in rural areas, and increase funds allocated to them.
- Take steps to ensure that the Ministry of Internal Affairs and Prosecutor General’s Office develop and approve a methodology for the effective investigation and prosecution of rape and sexual violence crimes as well as domestic violence crime under article 126-1, in compliance with the amendments to Ukraine’s Criminal Code that are now in force.
- In recognition of the absence of the need for proof of force, provide training for medical responders on best practices for the medical response to sexual violence, including that physical injuries are not necessary to demonstrate a lack of consent.
- Conduct trainings for police, prosecutors, and the judiciary, on the effect of the new definition of sexual violence. In conjunction with trainings, convene localized multi-

⁴⁶ Personal Communication from NGO to the Advocates for Human Rights, via email, Jan. 30, 2020 (on file with authors).

disciplinary sexual assault task forces to discuss the implications of this change, as well as discussing the local best practices for a response to sexual violence.

- Engage in a public-awareness campaign to advise the general public about the legal change to the definition of sexual violence and emphasize the need to establish consent. Incorporate this message into trainings provided to its military personnel, and to post-secondary educational institutions.
- Increase and support space for NGOs that counsel and aid victims of sexual violence.
- Take steps to accelerate ratification of the Istanbul Convention.
- Seek input from civil society, victims of domestic violence, and service providers in consultations about the ratification of the Istanbul Convention.
- Continue to enact laws and policies on preventing violence and protecting women from violence that are consistent with the requirements and provisions of the Istanbul Convention.