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Effectiveness of gender policy in the activities of the Ukrainian police in the context of intensifying European integration processes

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Abstract

The article offers a comparative legal analysis of the legislation in the regulation of the combat and prevention of gender violence by the police, studying, for this, the best international experience in this area. It indicates the need to define in the law profile the specific subdivisions of the National Police that carry out prevention of domestic violence, gender violence (Department of Preventive Activities; Patrol Service; Youth Prevention Units; District Police Service) to regulate its powers, competences and attributions. It is argued that a number of organizational and technical measures will help to increase the effectiveness of gender policy in the activities of the Ukrainian police: the creation of widely available databases showing statistics on cases of gender-based domestic violence, investigations and punishments, categories of victims and perpetrators. By way of conclusion, the desirability of introducing international best practices in policing in this area is demonstrated, in particular the adaptation of the «Blue Card» procedure carried out by the Polish police.

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Keywords: gender policy; National Police of Ukraine; prevention; domestic violence; gender discrimination.

Eficacia de la política de género en las actividades de la policía ucraniana en el contexto de la intensificación de los procesos de integración europea

Resumen

El artículo ofrece un análisis jurídico comparativo de la legislación en la regulación del combate y prevención de la violencia de género por parte de la policía, estudiando, para ello, la mejor experiencia internacional en este ámbito. Se indica la necesidad de definir en el perfil de ley las subdivisiones específicas de la Policía Nacional que realizan prevención a la violencia intrafamiliar, violencia de género (Departamento de Actividades Preventivas; Servicio de Patrullas; Unidades de Prevención Juvenil; Servicio de Policías Distritales) para regular sus poderes, competencias y atribuciones. Se argumenta que una serie de medidas organizativas y técnicas ayudarán a aumentar la eficacia de la política de género en las actividades de la policía ucraniana: la creación de bases de datos ampliamente disponibles que muestren estadísticas sobre casos de violencia doméstica por razón de género, investigaciones y castigos, categorías de víctimas y perpetradores. A modo de conclusión se demuestra la conveniencia de la introducción de las mejores prácticas internacionales de la actividad policial en este ámbito, en particular, la adaptación del procedimiento “Carta Azul” llevado a cabo por la policía polaca.

Palabras clave: política de género; policía nacional de Ucrania; prevención; violencia doméstica; discriminación de género.

Introduction

One of the consequences of gender inequality in society, unequal distribution of power and imbalance of representation of women and men in different spheres of life is gender-based violence, which is one of the most common problems in measuring modern social space and has a long history. The concept of “gender-based violence” encompasses such acts of violence against a person because of being a victim of violence, as well as the role of people defined by public opinion and their expected behavior. At the present stage of society, the most common types of gender-based violence

in the world are rape, domestic violence, sexual harassment, prostitution, and sex trafficking.

Examples of gender-based violence, which are explained by so-called culture, traditions and customs, are also widespread in the world. For example, early or child (often forced) marriages, female genital mutilation, honor killings (Zaporozhtsev *et al.*, 2012). The determinant of violence is the ingrained stereotype of the dominance of one sex over another in society and the family.

XX-XXI centuries are the era of establishing gender equality - social equality of men and women, the establishment of the foundations of gender parity and gender democracy (Perunova, 2020). The Constitution and other normative legal documents guarantee equality of men and women in Ukraine in all sectors. The country has acceded to all major international commitments in the field of gender equality and women's rights to establish an institutional mechanism for the implementation of key tasks and the practical implementation of the law, including the Ukrainian police.

The Council of Europe's Gender Equality Strategy for 2018-2023 states that achieving gender equality is a key element in the implementation of the Council of Europe's mission, which is to protect human rights, uphold democracy and ensure the rule of law, and states that gender equality involves equal rights for women and men, girls and boys, as well as their equal importance, opportunities, responsibilities and participation in all spheres of public and private life (The council of europe's gender equality strategy for 2018-2023, 2018).

Ukraine has created certain conditions for combating and preventing domestic and gender-based violence. In particular, the Law of Ukraine "On Prevention and Counteraction to Domestic Violence" defines the organizational and legal framework for preventing and combating such violence, the main directions of state policy in the field of preventing and combating it, aimed at protecting the rights and interests of victims of such violence (Law of Ukraine "On Prevention and Counteraction to Domestic Violence", 2019). However, as practice shows, citizens remain dissatisfied with the level of public administration in preventing and combating domestic violence in Ukraine, including the Ukrainian police, and regulations in this area are ineffective. These circumstances justify the relevance of this scientific article.

1. Methodology of the study

To achieve the set goals and objectives, to ensure the reliability of the results and conclusions used a system of methods of scientific knowledge.

The dialectical method contributed to the consideration and study of the problem in the unity of its social content and legal form and the implementation of a systematic analysis of gender policy in the activities of the Ukrainian police in the context of intensification of European integration processes.

The system-structural method allowed to study the state policy in the field of protection of children from violence and other illegal actions as a holistic set of interacting elements. The use of statistical methods contributed to the generalization of legal practice; analysis of empirical information related to the research topic. The comparative legal method was used during the review and study of legal literature, the main scientific approaches to solving the tasks of research and analysis of domestic legislation in the process of clarifying its relationship with similar rules of foreign law and practice of its application.

The formal-legal method was used in the study of normative sources of scientific work, which allowed to identify shortcomings of current legislation of Ukraine, which regulates the activities of the National Police of Ukraine in the field of protection of victims of gender violence and other illegal actions, to formulate proposals to improve their activities. These methods in correlation with the general logical methods and techniques (analysis, synthesis, induction, deduction, analogy) allowed a comprehensive and effective study of the peculiarities of the implementation of gender policy in the Ukrainian police.

The scientific and theoretical basis of the article are scientific works of domestic and foreign experts in the field of management theory, administrative law, civil law, criminal law, criminology, sociology and other branches of legal sciences.

2. Analysis of recent research

Issues of developing mechanisms aimed at improving the effectiveness of gender policy in modern conditions have a special place in the scientific research of such scientists as: O. Perunova (Perunova, 2020), A. Blaga (Blaga *et al.*, 2012), F. Zaiffert (Zaiffert, 2013), A. Galay (Galay, 2014), K. Guseva (Guseva, 2020), A. Zaporozhtsev (Zaporozhtsev *et al.*, 2012), K. Dovgun (Dovhun, 2021), N. Lesko (Lesko, 2019) and many others.

Despite the active research in Ukraine on the protection of victims of gender-based violence, the issue of improving the effectiveness of gender policy in the activities of the Ukrainian police in modern conditions has not been studied separately. In the available scientific works, these aspects were covered either in fragments or within a much broader issue. Instead,

the study of the current state of improving the effectiveness of gender policy in the Ukrainian police in the context of intensifying European integration processes, as well as making proposals on this basis to improve legislation and practice in its application is extremely important and necessary.

3. Results and discussion

3.1. Regulatory and legal regulation of prevention of gender-based violence in Ukraine

The study of the problem of improving the effectiveness of gender policy in the activities of the Ukrainian police in the context of intensification of European integration processes will logically begin with an analysis of legal regulations for the prevention of gender-based violence in Ukraine.

International legal regulation of domestic and gender-based violence is carried out by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the UN Convention on the Elimination of All Forms of Discrimination against Women, and the UN Convention on Marriage, age of marriage and registration of marriage, the UN Convention on the Rights of the Child, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention on the Exercise of Children's Rights and other acts.

In general, it should be noted that the system of international legal regulation in the field of combating domestic and gender-based violence includes a significant number of "soft law" acts, which serve as a basis for improving national legal systems in combating gender-based violence legal acts that have become binding on countries in connection with their ratification. Such acts include the UN Declaration on the Elimination of Violence against Women and the UN Model Law on Domestic Violence.

Among the international legal instruments in the field of combating domestic and gender-based violence is the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Council of Europe convention on preventing violence against women and domestic violence, 2013). To date, Ukraine has not ratified this Convention, although domestic and international experts say that it has now become particularly relevant.

We believe that ratification of the Istanbul Convention would allow Council of Europe experts to monitor Ukraine's compliance with its commitments, and Ukraine would have the right to demand increased accountability for perpetrators of Ukrainian citizens abroad. In addition,

it makes it possible to demand responsibility for Ukrainian offenders who are hiding abroad.

An important aspect in the context of the subject of our study is to identify ways to increase the effectiveness of the National Police of Ukraine as a subject of protection of victims of gender-based violence and other illegal actions. After all, as K. Dovhun rightly points out, domestic violence, gender-based violence is a complex social problem and effective counteraction requires the involvement of various actors who differ in nature, forms and methods of activity, as well as their powers. All state bodies and citizens should take part in preventing and counteracting this negative social phenomenon (Dovhun, 2021).

The system of legislation on the legal regulation of preventing and combating domestic violence by police includes the Constitution of Ukraine, laws of Ukraine “On Prevention and Combating Domestic Violence”, “On Ensuring Equal Rights and Opportunities for Women and Men”, “On Principles of Preventing and Combating Discrimination in Ukraine”, “On Child Protection”, as well as the Civil Code of Ukraine, the Family Code of Ukraine, the Civil Procedure Code of Ukraine, the Code of Ukraine on Administrative Offenses, the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and other legislation.

The Constitution of Ukraine (parts 2, 3 of Article 24) stipulates that there may be no privileges or restrictions on the grounds of race, color, political, religious and other beliefs, sex, ethnic and social origin, property status, place of residence, on linguistic or other grounds (Constitution of Ukraine). One of the key laws in Ukraine regulating the implementation of gender equality is the Law “On Ensuring Equal Rights and Opportunities for Women and Men”, which aims to achieve parity between women and men in all spheres of society (Law of Ukraine “On Ensuring Equal Rights and opportunities for women and men”). The provisions that determine the powers of the National Police of Ukraine in this area take an important place in it.

Provisions on preventing and combating gender-based violence were included in Section V-1 of the Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men”.

In general, measures to prevent and combat gender-based violence are identical to those that can be used to combat domestic violence in accordance with the Law of Ukraine “On Prevention and Counteraction to Domestic Violence”. However, it should be emphasized that such a measure as an urgent injunction against the perpetrator who committed violence under the article is not provided by the Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men”.

In 2017, the Law of Ukraine “On Prevention and Counteraction to Domestic Violence” № 2229 – VIII was adopted, according to which the bodies of the National Police of Ukraine are included in the entities with appropriate powers to protect victims of domestic violence. It is also worth mentioning the Law of Ukraine “On Amendments to the Criminal and Criminal Procedure Codes of Ukraine in order to implement the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence” № 2227-VIII.

The Code of Ukraine on Administrative Offenses was amended by Article 173-2, as well as amendments were made to the Criminal Code to determine liability for domestic violence (Article 126-1 of the Criminal Code of Ukraine) and non-compliance with restrictive measures, restrictive regulations or failure to pass the program for offenders (Article 390 -1 of the Criminal Code of Ukraine).

Responsibility for certain types of crimes against sexual freedom has also been strengthened. Such changes in the current legislation mobilize and slightly change the activities of the pre-trial investigation bodies of the National Police of Ukraine in terms of determining the circumstances have to be clarified in such criminal proceedings, the use of methods of obtaining evidence of gender-based domestic violence.

The most numerous among the normative legal acts in the researched sphere are by-laws of general action, which directly or indirectly concern the activity of the Ukrainian police. Among them are: Decree of the President of Ukraine № 501/2015 of August 25, 2015 “On approval of the National Strategy in the field of human rights” (National strategy in the field of human rights), Resolution of the Cabinet of Ministers of Ukraine of August 22, 2018 № 658 “Approval of the Procedure for Interaction of Entities Carrying Out Measures in the Sphere of Prevention and Counteraction to Domestic Violence and Gender-Based Violence” (Procedure for interaction of entities implementing measures in the field of prevention and counteraction to domestic and gender-based violence).

Resolution of the Cabinet of Ministers of Ukraine of August 22, 2018 № 655 “On approval of the Standard Regulations on Asylum for Victims of Domestic violence and / or gender-based violence” (Standard provision on asylum for victims of domestic and / or gender-based violence), Resolution of the Cabinet of Ministers of Ukraine of August 22, 2018 № 654 “On approval of the Standard Regulations on the Mobile Brigade of Social and Psychological Assistance to Victims of Domestic Violence and / or Gender-Based Violence” (Standard regulations on the mobile brigade of social and psychological assistance to persons who have suffered from domestic and / or gender-based violence).

Resolution of the Cabinet of Ministers of Ukraine of March 20, 2019 N^o 234 “On approval of the Procedure for formation, maintenance and access to the Unified State Register of Domestic Violence and Gender-Based Violence” (Procedure for formation, maintenance and access to the unified state register of domestic violence and violence on the grounds of sex), the order of the Ministry of Internal Affairs of Ukraine dated August 1, 2018 N^o 654 “On approval of the Procedure for issuance by authorized units of the National Police of Ukraine of an urgent injunction against the offender” (Procedure for issuing urgent prohibitive instructions against the offender by authorized units of the National police of Ukraine).

Order of the Ministry of Education and Science of Ukraine of October 2, 2018 N^o 1047 (Methodical recommendations for detecting, responding to cases of domestic violence and interaction of teachers with other bodies and services), order of the Ministry of Social Policy of October 1, 2018 N^o 1434 “On approval of the Standard program for abusers” (Standard program for abusers), order of the Ministry of Social Affairs Policy of Ukraine N^o 564/836/945/577 of August 19, 2014 “On Approval of the Procedure for Considering Appeals and Reports Concerning Child Abuse or Threat of Its Commitment (Ministry of social policy of Ukraine, Ministry of internal affairs of Ukraine, Ministry of education and science of Ukraine, Ministry of health of Ukraine)” (Procedure for consideration of appeals and reports regarding child abuse or threat of its commission), Order of the Ministry of Social Policy of Ukraine N^o 281 of May 8, 2014 “On approval of Methodical recommendations on the organization of correctional programs for perpetrators of domestic violence” (Methodical recommendations on the organization of correctional programs for persons who commit domestic violence).

The order of the Ministry of Social Policy of Ukraine N^o 1852 of December 11, 2018 “On the establishment of the State Institution” Call Center of the Ministry of Social Policy of Ukraine on combating trafficking in human beings, prevention and counteraction to domestic violence, gender-based violence and violence against children” (On the establishment of the state institution “callcenter of the Ministry of social policy of Ukraine for combating trafficking in human beings, prevention and counteraction to domestic violence, gender-based violence and violence against children”).

These regulations and certain provisions are aimed at introducing an integrated approach to preventing and combating domestic and gender-based violence, expanding the list of tools and instruments to combat domestic and gender-based violence, as well as creating a legal basis for ratification of the Council of Europe Convention on Prevention violence against women and domestic violence and the fight against these phenomena. One of the key roles in this area of activity is played by the bodies of the National Police of Ukraine.

Despite the relatively high activity of the legislator in resolving the problem of combating and preventing gender-based violence, the issue of public awareness in this area remains the most urgent and needs to be addressed urgently. Thus, at present, the real scale of the problem of protection of victims of gender-based violence is difficult to assess due to the lack of comprehensive research on the problem, as well as a systematic approach to the collection of statistical information by various ministries.

The statistics of different ministries often do not match, as this information was collected according to different methodologies. In this regard, N. Lesko notes that in departmental statistics on children there are such paradoxical cases when the number of victims of domestic violence and children who have committed such violence, were given by one total figure (Lesko, 2019). In addition, the current legislation needs to improve the powers of the National Police of Ukraine, as a subject of combating domestic violence, as their powers were spelled out in various regulations and due to their constant reorganization and transfer of powers, the interaction mechanism does not work effectively.

In our opinion, the main areas of improving the effectiveness of the National Police of Ukraine, which protects victims of gender discrimination at the legislative level, include expanding the competence of entities implementing measures to prevent and combat domestic violence, including the National Police, systematization of normative legal acts regulating the order of their activity.

3.2. The main powers of the National Police in the field of prevention of gender-based violence

The main bodies and institutions entrusted with the functions of implementing measures in the field of preventing and combating gender and domestic violence are: children`s services; authorized units of the National Police of Ukraine (On Prevention and Counteraction to Domestic Violence). It is the units of the National Police of Ukraine that are entrusted with the tasks in the field of administrative and legal response to cases of domestic violence, timely detection and prevention of offenses, elimination of their negative consequences. According to the Law of Ukraine “On the National Police” of 02.07.2015 № 580-VIII activities to prevent and combat domestic violence or gender-based violence are referred to its main powers (Law of Ukraine “On the National Police”).

Regarding the details of the main powers of the National Police in the field of prevention and counteraction to domestic violence, it is provided in Article 10 of the Law of Ukraine “On Prevention and Counteraction to Domestic Violence”, according to which their powers include: detection of facts of domestic violence and timely response to them; reception and

consideration of applications and notifications of domestic violence, including consideration of notifications received by the call center on prevention and counteraction to domestic violence, gender-based violence and violence against children, taking measures to stop it and providing assistance to victims, taking into account the results of risk assessment in the manner prescribed by the central executive body, which ensures the formation of state policy in preventing and combating domestic violence, together with the National Police Ukraine.

Informing victims about their rights, activities and social services that they can use; issuing urgent injunctions against offenders; taking on preventive registration of offenders and carrying out preventive work with them in the manner prescribed by law; monitoring the implementation by offenders of special measures to combat domestic violence during their term; revocation of permits for the right to acquire, store, carry weapons and ammunition to their owners in case of domestic violence, as well as seizure of weapons and ammunition in the manner prescribed by law; interaction with other entities implementing measures in the field of prevention and counteraction to domestic violence, in accordance with Article 15 of this Law; reporting to the central executive body implementing state policy in the field of preventing and combating domestic violence on the results of exercising powers in this area in the manner prescribed by the central executive body that ensures the formation of state policy in preventing and combating domestic violence (Law of Ukraine “On preventing and combating domestic violence”).

The Law of Ukraine “On Prevention and Counteraction to Domestic Violence” expands the system of measures to combat domestic violence in comparison with previous legislation. Special countermeasures include an urgent injunction against the offender; restrictive prescription against the offender; taking on preventive maintenance of the offender and carrying out preventive work with him; referral of the offender to the program for offenders.

It is seen that the promptest and effective measures to combat domestic violence will be an urgent injunction and a restraining order against the perpetrator. The other two measures were both aimed at combating violence and at re-educating and correcting the offender. Urgent restraining order is the most effective means of combating domestic violence, which was issued to the offender by authorized units of the National Police of Ukraine in case of imminent threat to life or health of the victim in order to immediately stop domestic violence, prevent its continuation or recurrence. An urgent injunction may include such measures as: the obligation to leave the place of residence (stay) of the injured person; ban on entry and stay in the place of residence (stay) of the victim; prohibition in any way to contact the victim.

An urgent restraining order was issued for a period of up to 10 days at the request of the injured person, as well as on his own initiative by an employee of the authorized unit of the National Police of Ukraine based on the results of the risk assessment. An urgent injunction was handed over to the offender, and a copy is given to the injured person or his representative.

At the same time, it should be noted that the issuance of an urgent restraining order by the police as a special measure to combat domestic violence against the perpetrator is regulated in the situation of a person committing physical domestic violence. The procedure for its application by authorized units of the National Police of Ukraine is limited to cases of a criminal offense committed by the offender.

We share the position of some scholars that in order to meet the needs of preventive activities of the National Police of Ukraine in the use of measures to combat gender-based domestic violence as an administrative offense, it is necessary to amend Chapter 20 of the Code of Administrative Offenses (“Measures to ensure proceedings administrative offenses”) and streamline a number of regulations, in particular, the order of the Ministry of Internal Affairs of Ukraine dated August 1, 2018 № 654 “On approval of the Procedure for issuing by the authorized units of the National Police of Ukraine urgent injunction against the offender”, interdepartmental order of the Ministry of Social Policy of Ukraine and the Ministry of Internal Affairs of Ukraine dated March 13, 2019. № 369/180 “On Approval of the Procedure for Assessing the Risks of Domestic Violence” (Guseva and Gorbach-Kudrya, 2020).

A restraining order against an offender is a court-ordered measure to temporarily restrict the rights or obligations of a person who has committed domestic violence, aimed at ensuring the safety of the victim. A restraining order may provide for one or more of the following measures to temporarily restrict the rights of the offender or impose obligations on him: prohibition to be in the place of joint residence (stay) with the victim; elimination of obstacles in the use of property that is the object of the right of joint ownership or personal private property of the victim; restriction of communication with the injured child; prohibition to approach at a certain distance to the place of residence (stay), study, work, other places of frequent visits by the victim; prohibition to search for the injured person personally and through third parties, if he is at his own will in a place unknown to the offender, to persecute him and to communicate with him in any way; Prohibition of correspondence, telephone conversations with the victim or contact with him through other means of communication in person and through third parties.

Restrictive measures may be applied not only in the framework of separate proceedings under the conditions specified in Chapter 13 of Section IV of the Civil Procedure Code of Ukraine by civil procedural legislation,

but also in the framework of criminal proceedings. The application of restrictive measures is provided by the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine. The Law of Ukraine “On Amendments to the Criminal and Criminal Procedure Codes of Ukraine to Implement the Provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence” supplements the general part of the Criminal Code with a new section entitled “Restrictive Measures”. To Art. 194 of the Criminal Procedure Code of Ukraine was also amended to regulate the application of restrictive measures in criminal proceedings against a person who has committed domestic violence or violence under the article.

It should be noted that, despite the rather detailed list of powers of the National Police, the law does not specify which units work in the field of preventing and combating domestic violence, gender-based violence. P. Bilenko proposes to include in the authorized units of the National Police of Ukraine, which carry out prevention and counteraction to domestic violence: Department of Preventive Activities of the National Police of Ukraine; patrol service of the Ministry of Internal Affairs of Ukraine; juvenile prevention units; service of district police officers (Bilenko, 2019).

In 2017, the National Police launched the Polina project to combat domestic violence. Initially, the project worked in some districts of Kyiv, Odesa, and Severodonetsk, Luhansk regions (Combating domestic violence. a practical guide for police officers. council of Europe project “combating violence against women and children in ukraine”). The project created a new system of interaction between mobile police groups against violence. Gradually, the project was extended to certain districts of Dnipropetrovsk, Odessa and Zaporizhia regions. The mobile teams include representatives of various police units - district police officers and juvenile prevention officers from the Department of Preventive Activities, investigative and operational units, as well as, remotely, the patrol police crew (Newsletter on law enforcement reform in Ukraine, 2017).

It should be noted that the project does not provide for the creation of separate units that will work in the field of combating domestic violence. However, a separate algorithm has been developed between operators of line 102 and patrol, precinct, juvenile police, investigators and operatives to respond to and prevent domestic violence. According to the developed protocol, the operator of line “102” sends a patrol police crew to the scene, who finds out all the circumstances of the incident and in case of a violation, they call a police officer. If violence / offenses against minors were detected, a juvenile prevention worker is involved. In case of a criminal offense, specialists in investigation and criminal investigation are involved.

It should be noted that within the framework of the Polina project, the police interact with public initiatives. For example, La Strada-Ukraine

domestic violence prevention consultants inform subscribers from Polina project areas about the existence of mobile groups to combat domestic violence. In 2019, mobile groups responding to domestic violence were established in 37 cities. It is worth noting that these mobile groups have proven their effectiveness, so it was planned in their further deployment. Since 2018, work is underway to prepare for the spread to other regions of Ukraine (Report of the head of the National police of Ukraine on the results of the department`s, 2019).

Summing up this block of the scientific article, we note that the effectiveness of gender policy in the activities of the Ukrainian police will contribute to a number of such organizational and technical measures: categories of victims and perpetrators; adequate staffing of National Police units responsible for the prevention of domestic violence.

3.3. Best foreign practices of gender policy in police activities

The development of effective mechanisms of gender policy in the activities of the Ukrainian police requires the study of best practices abroad.

A characteristic feature of German law in this area is the focus on the removal of a person who has committed domestic violence from the family.

According to German law, such a person must leave the premises by order of the police for up to 10 days (Blaga, 2012). In addition, there are so-called domestic violence commissions among criminal police units in Germany, which deal with domestic violence cases (Zaiffert, 2013). By expanding their knowledge in this area, employees of these units more effectively investigate and identify the circumstances of domestic violence, establish contact with the victim and the aggressor to stop further cases of violence. It is worth noting that the experience of removing a person who has committed domestic violence from the family is also practiced in European countries such as Austria, Spain, the Netherlands, the Czech Republic, Sweden and others (Kharlamov, 2014).

The police in Austria (according to the Federal Law “On Protection from Violence” and “On Security Police”) are authorized to issue (if appropriate) a prohibition order, according to which a person who poses a danger to others (family members, cohabitants, etc.), and its behavior indicates the existing (or potential) the risk of encroachment on life, health, personal liberty, etc., is removed from the place of residence (regardless of family ties and property rights) with a ban on returning there, seizure of keys and determination (temporarily) of another place of residence (in case of resistance to the offender it is applied by police coercive measures) (Amendments to the legislation on prevention and counteraction to domestic violence).

In France, there is an effective interaction between the police and the mobile hotline, which allows you to quickly arrive at the scene of domestic violence. In addition, police units have the right to immediately remove perpetrators of domestic violence from the place of residence with the victim, and the court may order such a measure to combat domestic violence as the use of electronic control bracelets. With these bracelets, the police receive a signal that the perpetrator of domestic violence is approaching the victim and can respond immediately (Galay, 2014).

The positive experience of the Swedish police in preventing gender discrimination is interesting in view of the research. In particular, the Karin project is a pilot project aimed at strengthening cooperation between the police and social services in Malmö. Two forensic investigators and two social workers are in the same room and work closely together to facilitate access to these specialists for victims, in particular children who have witnessed violence.

In addition, both the police and social workers are in constant contact with other organizations and government agencies. When forensic investigators receive a statement, they immediately notify social workers. Social workers contact the woman within 24 hours to assess the need for support and assistance in obtaining adequate protection. Thanks to the project, the female victims noted that the police officers were kind, pleasant and responsive. The women also claimed that they had received useful information about the investigation.

The Blue Charter procedure, conducted and implemented by the Polish police in connection with well-founded suspicions of domestic violence, is noteworthy. This procedure was provided for in the Order of the Chief Commander of the Police of 18 February 2008 N° 162 "On the methods and forms of police performance of tasks related to domestic violence under the Blue Charter procedure". This procedure is a very effective measure to combat domestic violence, which was usually caused by gender conflicts.

This is due to the fact that no case of gender-based violence is ignored, accompanied by fruitful work of the police, which carries out a number of measures aimed at eradicating violence in a particular family. Another positive aspect of Poland's experience is the introduction of the "Blue Charter" procedure in the "Blue Charter" procedure, which the victim of domestic violence fills in in a calm atmosphere after the police have taken the necessary measures against the aggressor. After all, in a state of stress after an act of domestic violence, the victim may not always be able to adequately respond to police questions and provide the necessary evidence that will help police develop the right strategy to combat violence in this particular family (Gorbova, 2015).

It should be noted that the similarity of legislation governing the prevention and combating of gender discrimination in Europe is not only a desire to implement the provisions of the Istanbul Convention, but also common social values that are protected - the health and life of a person regardless of gender, peace and well-being of the family, etc. European experience of police work in this area, of course, should be studied and implemented in our country in order to avoid possible mistakes in overcoming gender-based domestic violence in Ukraine.

We believe that the intervention of the authorized units of the National Police in the early stages of violence prevention is a more effective measure in the fight against gender discrimination than any prevention programs. One of the advantages of such an early intervention may be the redistribution of funds for the implementation of other programs useful to society. In addition, it will save time and money spent by social and law enforcement agencies and the judiciary on combating gender-based domestic violence. At the same time, it is important to remember that only by working together can we not only convey to everyone what gender discrimination is and protect against it, but also improve the quality of response and assistance. Creating a safe environment free from violence is a common goal of the entire world community.

Conclusions

Summing up and analyzing what was stated in the article, we can draw the following conclusions.

The main areas of improving the efficiency of the National Police of Ukraine, which protect victims of gender discrimination at the legislative level, include expanding the competence of these entities, systematization of regulations governing their activities.

The relevant law should define specific units of the National Police that prevent and combat domestic violence, gender-based violence: Department of Preventive Activities; patrol service; juvenile prevention units; service of district police officers.

A number of organizational and technical measures will help increase the effectiveness of gender policy in the activities of the Ukrainian police: measures to create publicly available databases that would display statistics on cases of gender-based domestic violence, the course of investigation and punishment, categories of victims and perpetrators.

Intervention by authorized units of the National Police in the early stages of violence prevention is a more effective measure in the fight against gender discrimination than any prevention program. Establishing close

cooperation between the police and other actors empowered to prevent and combat gender discrimination is key to improving the protection of victims' rights.

It is expedient to introduce best foreign police practices in this area. In particular, an effective measure to combat domestic violence due to gender differences is the Blue Charter procedure, which was carried out and implemented by the Polish police in connection with well-founded suspicions of domestic violence.

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