

GUIDANCE FOR THE RUNNING OF SHELTERS FOR VICTIMS OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE IN UKRAINE



**Council of Europe project
“Combating Violence against Women
and Children in Ukraine”**

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1. Background

The Council of Europe is currently implementing the project “Combating Violence against Women and Children in Ukraine” carried out in line with the priorities laid out in the Council of Europe Action Plan for Ukraine for 2015-2017¹. The project foresees the provision of expertise for the setting up and running of shelters and/or other specialized services for victims of violence against women and domestic violence in Ukraine. In this framework, the Council of Europe is tasked with providing guidance grounded on a human rights and gender-based understanding of violence, the principle of non-discrimination and equality between women and men, and build on the existing international legal framework, including the standards of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter, Istanbul Convention), and best practice in the field of social work and domestic violence.

This document lays out a ‘roadmap’ regarding the development and running of shelters, and/or other specialised services for victims of violence against women and domestic violence in Ukraine, and to prepare the ground for future compliance with the Istanbul Convention.

The roadmap document has been written following a briefing visit to Kiev to look at existing provision and to meet relevant staff from Ministries, NGOs and international funders, and draws additionally from legal and other documentation provided by CoE, the national expert and relevant organisations present in Ukraine. By way of introduction, the document provides an overview of the existing policy frameworks and developments, and existing provision of shelters. When relevant, gaps and challenges are identified.

The Council of Europe “Minimum Standards for Support Services for victims of violence against women” (2008)² provide a solid basis for the future development of the content and criteria of the standards for the provision of shelters for victims

1 <https://rm.coe.int/16802ed0b6>

2 [https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaconf\(2007\)study%20rev.en.pdf](https://www.coe.int/t/dg2/equality/domesticviolencecampaign/source/eg-vaconf(2007)study%20rev.en.pdf)

of violence against women and domestic violence in Ukraine. Adding to that basis, relevant articles of the Istanbul Convention are described and measured against the current situation of provision of services in the country. To conclude, guidance from elsewhere is also addressed in this roadmap in order to look at possible future steps in Ukraine and processes for attaining them.

2. Existing and developing policies in Ukraine

A number of important steps have been taken in Ukraine in recent years towards development of support for victims of gender based violence and domestic violence.

2.1. **Concept of the State social programme for ensuring equal rights and opportunities for women and men by 2021**

In 2017 The Cabinet of Ministers of Ukraine resolved to approve the Concept of the State social programme for ensuring equal rights and opportunities for women and men by 2021, including implementation and reporting on progress. The tasks and activities are not specifically gender based violence related. However some of them are relevant to the provision of services as required by the Istanbul Convention (General Obligations Article 18) (IC):

1. Improving the mechanism of conducting gender-based legal analysis - through 1) introducing amendments to statutory instruments with regard to improving mechanism of conducting gender-based and legal analysis
2. Strengthening public-private partnership in the sphere of ensuring equal rights and opportunities for women and men – through sharing best practice, information sharing, forums
3. gender based integrating – through study on impact, developing methodology for statutory integration, and gender mainstreaming
4. expanding list of statistical indicators

5. Improvement of professional level of civil officers for ensuring equal rights and opportunities for women and men.
6. Strengthening mechanism for protection against gender based discrimination
7. Protection of women and girls who suffer multiple discrimination
8. Overcoming gender stereotypes

2.2. National Human Rights Strategy of Ukraine by 2020 and Action Plan

The National Strategy acknowledges the latent nature of domestic violence and recognises it as a serious human rights violation. Among the outcomes expected of the National Strategy, the following are relevant for the provision of shelters for victims of domestic violence:

- the procedure of providing care to victims of domestic violence is improved, and the trainings for perpetrators on non-violent behaviour in inter-personal relations are implemented;
- awareness raising events for the population on problems and ways to combat domestic violence and the care available to victims of domestic violence

The accompanying Action Plan spells out more concretely the necessary actions and the deadlines for these actions to be implemented by the relevant Ukrainian authorities. As regards shelters, the following commitments are made:

- Development of state social standards for providing assistance to victims of domestic violence.
- development and application of the mechanism of state social order for services of non-governmental organizations working in the field of prevention of domestic violence (providing services to victims of domestic violence, organizing corrective measures for persons who commit domestic violence).
- maintenance of activity of existing institutions that provide assistance to victims of domestic violence.

2.3. Law on Preventing and Combating Domestic Violence

On December 7, 2017, the Verkhovna Rada of Ukraine adopted a Law “On Preventing and Combating Domestic Violence” (hereinafter – the Law). After the President of Ukraine signs the Law, it will come into force on the day following the day of its publication.

Under Article 6 of the Law, specialized support services for affected individuals are referred to actors engaged in prevention and counteraction of the domestic violence: *“Specialized support services for victims include shelters, centres of medical and social rehabilitation of the affected individuals, call-centres on preventing and combating domestic violence, gender-based violence and violence against children, mobile crews for provision of social and psychological aid to victims and individuals affected by gender based violence, as well as institutions and facilities intended exclusively for victims and persons affected by the gender-based violence”*.

NOTE

While the law echoes the general principles of IC, and is in many respects compliant with IC, the section that includes shelters is limited. Shelters are mentioned under Article 6 (Subjects authorised to prevent and combat domestic violence) and under Article 14 (Responsibilities of support centres for victims of domestic violence) – see details below. The law also stipulates under Article 16 that support centres (including shelters) should be established by local authorities as well as companies, institutions, organizations, charities, NGOs and individuals according to local social needs, and operate according to their statutes – see details below.

Article 7 of the Law, mandates of the central executive body ensuring the formation of the state policy on preventing and combating domestic violence (currently – the Ministry of Social Policy) includes, inter alia, approval of the standards for provision of social services to affected individuals.

According to Article 12 of the Law, elaboration and approval of standards for provision of medical services to affected individuals or persons who might have suffered from the domestic violence refers to mandates of health care authorities in the field of prevention and combating domestic violence (currently – the Ministry of Health).

Issues concerning affected individuals' stay at the specialized support services for such individuals and provision of social services to them are governed by the constituent documents of said services in accordance with standards for the provision of social services to affected individuals, which are approved by the central executive authority ensuring the formation of the state policy in the field of preventing and combating domestic violence with due account for the requirements of international legal instruments (p. 4 Art.14 of the Law).

NOTE

The UN describes violence against women as “any act of gender-based violence that is directed against a woman because she is a woman or that affects women disproportionately”. (UN 2006: 12). In the same vein, the Council of Europe Istanbul Convention describe gender based violence against women as “violence that is directed against a woman because she is a woman or that affects women disproportionately”.

Perpetrators of violence towards women and also men are, in the vast majority of cases, men. This does not mean that men are never victims of violence, or that women are not sometimes perpetrators. However, national and international prevalence surveys reveal a clear disproportionality along gender lines. The UN and the Istanbul Convention clarify that violence against women is a gender equality issue, with inequality identified as both a cause and consequence of such violence. In this view, the distribution of victimisation and offending both reflects and reproduces the gender order, and is a fundamental barrier to achieving equality between women and men.

The Law of Ukraine “On Ensuring Equal Rights and Opportunities of Women and Men” was modified in the Final provisions of the Law on “Preventing and Combating Domestic Violence” These changes are introduced into the system of preventing and combating gender-based violence.

In the process of passing of the law by the Verkhovna Rada of Ukraine the term “gender specific violence” was modified to the term “gender-based violence” (as well as removal by People’s deputies of Ukraine of the terms “gender”, “gender stereotypes”, etc., from the text of the Law). According to the Ministry of Social Policy this modifications do not change the proposed system for preventing and combating such violence.

For example, the Law (changes to the Final provisions) stipulates that *“gender-based violence are acts directed against individuals based on their sex*

or practices and traditions common in the society (stereotypical ideas about social functions (position, responsibilities, etc.) of women and men), or acts that are mainly related to individuals of certain sex or affect them disproportionately, cause physical, sexual, psychological, or economic damage or suffering, including threats of such actions both in public and private life."

NOTE

There may be a gap regarding the gendered nature of gender based violence and domestic violence, in particular the specific provision of services for women experiencing such violence, which would be required for IC compliance. There is a Gender Equality framework that appears to be interpreted more as a 'gender neutral' approach rather than a means of overcoming gender inequality and discrimination.

The system and guarantees of the local self-government of Ukraine, principles of its organization and activity, legal status and responsibilities of the local self-government authorities and officials are defined by the Law of Ukraine "On Local Self-Government in Ukraine."

The Article 26 of the Law of Ukraine "On Local Self-Government in Ukraine" defines the list of issues to be resolved only during plenary sessions of the village and town councils, including the adoption of decisions on establishment, termination, reorganization and conversion of communal enterprises, institutions, and organizations of the respective territorial community (paragraph 30 part 1 Article 26).

Under the newly passed Law of Ukraine "On Prevention of Domestic Violence", local self-government bodies (including village and town councils) are engaged to activities intended to prevent and combat domestic violence.

Article 16 of the Law of Ukraine "On Prevention of Domestic Violence" provides for funding of bodies and institutions dealing with the prevention of domestic violence from the state budget of the appropriate level. Funding of specialized institutions for victims of domestic violence which were created by enterprises, institutions, organizations, charitable funds, associations of citizens or individual citizens shall be made at their own expense.

NOTE

The actual funding and sustainability of shelters and support services is an issue. Shelters and other support has tended to be set up and funded so far by international organisations, such as UNFPA and SIDA. Up until the new law was approved, legislation under which services are provided for victims/survivors of violence against women and domestic violence existed only at national and regional levels, but not at local level. The new legal provisions adopted in Ukraine call for local executive and self-government bodies to establish specialized support services. Legal ground for the establishment of local support services to support people affected by violence exist. However, actual implementation of these requirements still hinges on the existence of political will on the part of local officials. The reference to funding sources in the legislation is left to the sole limitation of the funds not being against legislation.

According to the new law, it is the Ministry of Social Policy that is mandated to approve standards for provision of assistance to affected individuals. The standard for provision of shelter services for victims of domestic violence is one of such standard that needs to be provided.

NOTE

There are provisions in the new law related to the need to train specialists, to conduct information campaigns to prevent domestic violence, and on the obligation to refer victims to support services. However, the actual implementation of these requirements is doubtful. The reasons for this can lie on the inexistence of local support services (due to lack of funding or the fact that domestic violence is not a political priority) and on the lack of standardised and mature procedures for inter-agency cooperation which would need to be established by the MSP. Although it is not an explicit requirement of the Council of Europe Istanbul Convention, a network of shelters has been useful in other countries to share and enhance practice and policies across shelters, and develop and implement national standards for shelters e.g. in UK and Scotland.

2.4. Draft Protocol (internal working document)

A draft protocol on services, including shelters, is been developed by the Ministry of Social Policy of Ukraine. It is important that this protocol is based on international standards. The draft Protocol outlines the key operational issues that need to be decided with regard to developing shelter standards. The protocol will be a model for the local authorities.

3. The Council of Europe “Minimum Standards for support services” (2008)

Key actors in Ukraine have good knowledge of the Council of Europe [“Minimum Standards for Support Services for victims of violence against women”](#) (2008), and using them as a guide for development of the Protocol, in particular with regard to areas for operational development. However, not all areas of the Minimum Standards are covered in the draft Protocol (see table below). The Minimum Standards outline both minimum standards (necessary) and standards that should be aspired to in the future (aspirational). When possible, authorities should move beyond them, aiming at maximising access, quality and positive outcomes.

The CoE 2008 document sets out standards as follows:

Illustrative Example: The Council of Europe's Combating Violence Against Women: Minimum Standards for Support Services includes the following set of minimum and aspirational standards for shelters.

Minimum standards	Aspirational standards	In Ukraine?
Services in shelters should be provided by female staff.		Not specified in the draft Protocol or law.
The security of residents should be addressed through confidential addresses and/or through appropriate security measures and monitoring.	There should be a written policy on visitors (where they are permitted). This should include ensuring that visitors understand confidentiality.	Confidentiality of address is in draft Protocol, and breaking confidentiality is grounds for exclusion from shelter.
If there are insufficient places, or services are withdrawn – the shelter should assist in finding a suitable safe alternative accommodation.	Any alternative accommodation should be evaluated for compliance with the shelter's safety and confidentiality policies.	An obvious referral route to other safe accommodation should be in place. Shelters would need to liaise with other services that also provide safe accommodation and provide information for victims about these services – if such services exist
Refusal to provide or re-admit to services should ONLY be undertaken where serious breaches of rules have taken place, or for safety of women and children.		The draft Protocol has detailed list of grounds for refusal to provide access or to discharge someone from a shelter
Shelter support should be available for as long as the service user needs them.		Shelter accommodation is offered on a time-limited basis – initially three months, possibly six months, and exceptionally 12 months.

<p>Staffing levels should be sufficient to meet the needs of current service users and children.</p>		<p>Staffing levels are not outlined in the draft Protocol, but should be set by a central executive authority of the shelter, and “employing and releasing staff members according to the staff schedule” is part of the shelter Director’s job</p>
<p>Crisis support and safety planning for each service user.</p>	<ul style="list-style-type: none"> • Should provide information on the service user’s rights and responsibilities (including confidentiality policies) within 24 hours of admission. • Rules should be presented in empowering language. 	<p>This is specified in the draft Protocol, including providing information on rights and possibilities of receiving effective help. There is no reference to ‘empowering language’</p>
<p>A written needs assessment should be completed within 3 to 7 days of admission. This should encompass:</p> <ul style="list-style-type: none"> • health/medical needs; • children; • housing; • legal options; • financial assistance and options; • job training, employment, and education. 	<p>Specialist shelter provision should be made for women who are substance abusers.</p>	<p>The draft Protocol outlines needs to be assessed, and specifies written needs assessment should be agreed within 3 days.</p> <p>There is no specialist provision for women who are substance abusers, beyond being “sent immediately to health care institutions”.</p>
<p>Should be able to provide (or make referral to) legal advice, advocacy, accompaniment and other support services.</p>		<p>Included in draft Protocol</p>

<p>Should provide assistance to ensure that service users have independent economic means when they leave the shelter.</p>		<p>This is not specified in the draft Protocol.</p> <p>This could be ensured through a number of ways, in conjunction with the woman victim: by providing state welfare benefit, by helping women to gain new skills that allow them to become employed, by helping women to continue to work or gain employment while they are in the shelter</p>
<p>Should have at least one qualified child care worker on the staff.</p>	<ul style="list-style-type: none"> • One child care worker per 10 children; • Safe play areas; • Outings and activities for children • Child protection policy 	<ul style="list-style-type: none"> • This is not specified • There may be support for children by psychologists in other social centres, but support and work with children specifically in shelters for victims of domestic violence needs to be specified
<p>Shelters should model and promote respect and non-violence in all interactions including those between adults and children.</p>		<p>This is not specified</p>
<p>Where a place is unavailable due to the age of an accompanying male child. The shelter should assist in providing or finding an alternative safe place for the family.</p>	<p>Any alternative accommodation should be evaluated for compliance with the shelter's safety and confidentiality policies.</p>	<p>This is not specified in the draft Protocol but the inclusion of the aspiration standard could be considered</p>
<p>Should assist in maintaining the child's education.</p>	<ul style="list-style-type: none"> • Have protocol with local schools to address child residents' needs. • Have space and facilities for adolescents to do homework. 	<ul style="list-style-type: none"> • This is not specified in the Protocol but the inclusion of the aspiration standard could be considered

<p>Training for shelter volunteers and staff should be a minimum of 30 hours and cover:</p> <ul style="list-style-type: none"> • A gendered analysis of violence against women; • Communication and intervention techniques; • Confidentiality; • Child protection; • Accessing translation and disability services; • How to make appropriate referrals; • Information on trauma, coping and survival; • Assessing risk; • Non-discrimination and diversity; • Empowerment. 	<ul style="list-style-type: none"> • There should be staff trained/ able to communicate in sign language. • Information and counselling should be available in several languages reflecting the communities the shelter provides services to. • Staff should receive some basic training on immigration status/law. 	<ul style="list-style-type: none"> • This is not specified in the Protocol but the inclusion of the aspiration standard could be considered <p>There is no emphasis on gendered analysis. In this regards, the draft Protocol does not conform to the Istanbul Convention principles in not specifying women-only shelters, only separate rooms for men and women.</p>
<p>Resettlement and follow-up services should be available to ex-residents and their children.</p>		<p>This is not specified, and referral or onward routes post-shelter are not specified.</p> <p>This could be ensured by deciding with the woman victim where they will live once they leave the shelter, to help her obtain a place to live, and to maintain contact with her or organise for another support service to maintain contact and support after she leaves the shelter</p>
<p>Excerpt: Council of Europe. 2008 <u>Combating Violence Against Women: Minimum Standards for Support Services</u>. CoE.</p>		

The Women's Aid's standards are appended, as a recently developed example of standards for shelters and related support that complies with the IC. These standards are presented both simply and comprehensively, and are used in the UK to assess quality of individual shelter provision

4. Developing standards for the provision of shelters for victims of violence against women and domestic violence

In the preparation of standards by the Ministry of Social Policy the involvement of relevant stakeholders, in particular, NGOs and other shelter providers is of key importance. It would create a knowledge base to kick off the setting up of quality standards. Over time, this involvement must continue to be in place for potential revisions or updates.

Employing and sustaining participatory and inclusive processes for the development of standards, as encouraged by the UN and demonstrated in the multi-pronged approach used by Scottish Women's Aid (see section 5.2) will impact not only in the ownership and commitment to the standards but also to their quality and relevance.

In order to develop comprehensive standards, it would be useful to build on existing strengths and practice in shelters, thus encouraging compliance. Standards should integrate/ complement existing criteria (e.g. the Ukraine NAP and legislation). Also, sufficient time needs to be allowed for the process to ensure shelters are fully engaged, before expanding partnerships with other sectors and institutions (e.g. government bodies who may develop their own related criteria), considering staff turnover and other unexpected delays.

Regarding the content of the standards for shelters, a mapping of current provision of shelters for victims of domestic violence (see annex 1) was conducted by the Council of Europe's local expert. Relevant provisions of the Istanbul Convention were used to analyse existing operation rules in Ukraine,

in particular, the following standards of the Istanbul Convention (IC) were looked at:

- Non-discrimination clause (Articles 4 and 18 of the IC)
- Training of professionals (Article 15 of the IC)
- Accessibility 24/7 (Article 23 IC)
- Financial resources (Article 8 IC)
- Location of services in the same premises (one-stop shop) (Article 18.3 IC)
- Gender perspective (Article 6 IC)
- Safety and security of victims (Article 18 IC)
- Inter-agency cooperation (Article 18 IC)
- Information on services available (Article 19 IC)

The existence of different statutes and standards was made apparent in this exercise with NGO run shelters more likely to be compliant with the Istanbul Convention than those under the auspices of the state. See section 3.2 below.

4.1. The Council of Europe Istanbul Convention standards on shelters

In line with the Istanbul Convention, the primary aim of a shelter is to rapidly secure physical safety from the perpetrator by providing immediate, preferably around-the-clock, access to safe accommodation.

Article 23 IC requires state parties to provide for the setting up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out proactively to victims, especially women and their children. The following elements are contained in the applicable articles of the Istanbul Convention (see annex for detailed information):

Specialized service: shelters are not temporary housing only. The needs of victims of domestic violence are complex and can vary from case to case. They should allow women to cope with their traumatic experience, leave violent relationships safely, regain self-esteem and lay the foundation for their independent life. This is why shelters should be constituted as specialized services catering for the needs of domestic violence victims, in particular, women and their children.

In Ukraine, there are several services provided for victims of domestic violence, including NGO shelters, social centres for mother and child and state centres of social and psychological aid. Whereas mother and child centres cater only to the needs of pregnant women and mothers with young children who experience “life challenges”, in reality they mostly accommodate victims of domestic violence. The state centres of social and psychological aid on the other hand, provide 24-hour help and temporary shelter to individuals experiencing life challenges and in need of a temporary shelter, if these individuals do not have means of subsistence. They host as well victims of domestic violence; however, they do not comply with the criteria of specialization as they do not cater to the needs of victims of domestic violence.

Sufficient numbers: the Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including domestic violence recommends safe accommodation in specialised women’s shelters, available in every region, with one family place per 10 000 head of population. In Ukraine, State centres or shelters are insufficient, approximately 1 or 2 per region. For example, in Lviv region there is a Centre for social and psychological aid with 15 places and a centre of mother and child for 10 women with children. Total population of Lviv region is 2,537,799 persons. The situation is typical in other regions of Ukraine too, such as Kyiv. This means that the region will need at least 253 family places (an adult plus the average number of children within a State) to comply with the minimum standards.

Accessibility (24/7): round the clock availability ensures that victims can access necessary support when needed. In Ukraine, admission to state centres of social and psychological aid is conducted in 24/7 format. Admission to social centres of mother and child is only conducted during working hours fixed by the regulations on the work of the centre. Admission to NGO shelters is done in 24/7 format.

Article 18 IC provides for general obligations in the provision of support services (general and specialized). Among those, several are particularly relevant to shelters: counselling, self-help groups, legal aid, job search assistance, accommodation search assistance, financial assistance, among others. Family mediation/therapy can pose risks to victims of violence against women and domestic violence, in particular, risks to their safety if the work is done jointly with the perpetrators. Therefore, this type of service offering is discouraged. The range of services should be provided where possible within the same premises (one-stop shop).

According to the information received, in state institutions and shelters, work with clients is conducted in the form of individual consultations and group work. For example, in Kharkiv, these groups are held together with Kharkiv city centre of

social services for families, children and youth. Counselling services are provided in all centres and by social workers and psychologists. In some institutions, there are lawyers among the staff who provide consultation services on legal matters. In the institutions where there is no lawyer among staff, clients are sent to other state organizations and NGOs for legal advice. Psychologists and social workers provide advice on finding schools and work with children.

Job and accommodation search assistance are not standard services and access to social accommodation is very limited for victims of domestic violence. Financial aid is not provided for in Ukrainian legislation.

Data protection and consent of a woman for data disclosure: the Ukrainian law 'On the Protection of Personal Data', governs the issue of collecting, transferring and protection personal data of Ukrainian nationals. At the same time, information related to incidents of domestic violence is given to bodies and institutions working with these cases to foster multi-agency cooperation in the support to victims. This mutual informing and interaction is conducted in accordance with the Law of Ukraine 'On the Prevention of Violence in Families' and in pursuance of the joint order of the Ministry of Ukraine for Family, Youth and Sports, the Ministry of Internal Affairs of Ukraine dated 07.09.2009 no.3131/386 'On Approval of the Guidelines on Interaction of Structural Departments in Charge of the Implementation of State Policy as to Prevention of Violence in Family, Offices of Children's Services, Centres for Social Services for Families, Children and Youth and Respective Sections of Bodies of Internal Affairs Dealing with the Prevention of Violence in Family'.

Inter-agency cooperation: the Istanbul Convention foresees the establishment of appropriate mechanisms to provide for effective co-operation between all relevant stakeholders and state agencies in the protection and support of victims and witnesses of violence against women and domestic violence. This provision includes the existence of a referral system. In Ukraine, in 2017, within the UNFPA project, some mechanisms of interaction and reaction to domestic violence are tested in different regions of Ukraine. According to the information given, algorithms of interaction in Zaporizhzhya, Dnipropetrovsk and Kharkiv regions on the regional and city level (Kharkiv, Kryvyi Rih) have already been elaborated. The formalization and generalization of such co-operation mechanisms in line with the new law on protection of domestic violence is essential to ensure in particular the connection between law enforcement, support services (shelters) and the judiciary. A referral system can take any appropriate form and does not require the establishment of an official body or institution. It can be an algorithm, protocol, agreement between agencies, regular round tables, etc.

Articles 4 and 18 of the IC shape a broad anti-discrimination clause that forbids any ground of discrimination in the application of the provisions of the Istanbul Convention. Article 18 specifies the importance of taking into account the needs of vulnerable persons, including child victims. In the current situation in Ukraine, some women (especially those with addictions or mental health disorders) are denied access to shelters. Specialist centres for those women could be considered.

Application of **Article 6 IC** on gender perspective in the provision of services: State centres for social and psychological aid are not using the principles of gender based violence because the Model regulation on these institutions provides for services to all those affected by violence, both men and women. However, the Model regulation on social centres of mother and child does provide for services for women only, including those affected by violence. Thus there are instances where the state provision does comply with the requirements of the IC, and this could be built upon. For instance, in practice existing shelters in Ukraine are staffed by (mainly) female staff, and this could be formalised in the Model regulation.

Ensuring the appropriate staff and financial sustainability of shelters is an important aspect to appropriately provide support to victims, this provision (**Article 8 IC**) also applies to those services carried out by non-governmental organisations and civil society. The Ukrainian state provides for funding of the social centres and for social and psychological aid and social centres of mother and child. Other shelters are run by NGOs without the support of the state. There are cases of mixed financing as well, for example 'social apartment for mothers with small children who found themselves in difficult life conditions' is functioning under this principle in the city of Kyiv. Sometimes local authorities provide premises for NGO shelters as a form of participation in the project, for example in the city of Kharkiv. This mixed picture does not guarantee the same standards of accessibility and support in all regions of Ukraine. A specific provision on financing from local budgets will help override the lack of potential lack of will from local authorities.

Article 19 IC requires the states to provide adequate and timely information on available support services and legal measures in a language they understand. Information on the availability of NGO shelters is disseminated, but without disclosing addresses. Information of state centres for social and psychological aid and centres of mother and child and their addresses are public. From the information obtained, there is no clarity as of how accessible this information is in reality, how proactive the state is in disseminating the information and through which channels (inter- agency dissemination).

Article 15 IC specifies the need to provide appropriate training for professionals working with victims (and perpetrators). Professionals working in shelters are generally social workers and psychologists. There are specialized trainings held for them with regard to working with victims and affected persons of gender based and domestic violence. Such trainings are held by NGOs. However, it appears that these trainings are not systematic and continuous in time (in-job training). The fact that they are provided by NGOs reinforces this idea. Also, basic training on violence against women and domestic violence should be followed by more advanced training on a regular basis. A quality homogeneous curriculum could be introduced covering the aspects signalled by the Istanbul Convention: prevention and detection of such violence, equality between women and men, needs and rights of the victims and how to prevent secondary victimisation

5. Drawing lessons from elsewhere

5.1. UN Women

[UN Women](#)³ suggests several process and other elements to be taken into account when developing standards). In terms of process, a good starting point is to involve collaboration between authorities and shelter staff.

Relevant state ministers and departments should develop, in full collaboration with shelter workers and advocates, realistic guidelines, instructions and directives. Protocols and guidelines are important to outline the key service components provided by shelters and methods of service delivery, in order to promote women and girls' access to quality care and support. Regulations for women's shelters can help to ensure that services to address the needs of women and their children are available, properly-resourced and appropriately aligned with core guiding principles.

The creation of a strategic plan for the shelter, which may answer the following questions:

- How will decisions be made?
- How will policies be developed?
- What is the state of the shelter and in what state should it be in the next three to five years? What is the process for achieving goals?

A service delivery policy to include information such as the:

- shelter's mandate, principles;
- services offered to both women, and where relevant, children (including accommodation/ provision of basic personal and household items,

3 <http://www.endvawnow.org/en/articles/1391-standards-and-regulations.html?next=1392>

crisis intervention, risk assessment and safety planning, and counseling supports, referral and accompaniment to legal, health, security and social assistance, economic and employment activities);

- staffing and structure
- collection and storage of women's personal information (including rights related to access and confidentiality); and
- residents' rights and responsibilities.

5.2 Establishing Service Standards in Scotland⁴

From 2009-2011, Scottish Women's Aid, a network of 38 shelters, developed domestic violence service standards in response to the need for benchmarks and a framework for measuring the value of shelter specialist services. Using a collaborative assessment process, the standards aim to assist shelters to document their practices to create evidence and demonstrate their contributions to women. The Standards focus on 5 themes: staff skills; accessible services for children and young people; safety and security; effective partnerships; and representation of women's voices to other agencies. An assessment of 28 shelters in 2012 and an evaluation of the standards informed their finalization for use by members of the network.

The process began in 2009, with a draft set of standards shared with advocates at an annual shelter conference. A working group was established among shelters representatives in charge of developing the standards. Trainings were conducted to shelter staff in the format of peer-to-peer exchanges. Following, the standards were piloted in three shelters and revised with experience gained. The Scottish Women's Aid conducted awareness raising and spread information about the development of the standards through shelter newsletters and launched the standards officially in a formal event.

The Scottish standards are promoted through a peer-led and confidential assessment conducted over a 3-month period. The assessment can help shelters identify: innovative and promising practices; areas for improvement; and supports needed from Scottish Women's Aid. The process involves: self-assessment by the shelters based on their own documents/evidence; email submission of the form to the staff conducting the assessment; joint review of findings with the staff conducting the assessment.

⁴ <http://www.endvawnow.org/en/articles/1391-standards-and-regulations.html?next=1392>

www.coe.int

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