

CABINET OF MINISTERS OF UKRAINE RESOLUTION

dated 20 March 2019 No. 234 Kyiv

On approving the Order for generating, maintaining and accessing the Unified State Register of Domestic and Gender-Based Violence Cases

{as amended under the Resolution of the Cabinet of Ministers No. 171 dated 26 February 2020}

Under <u>Part eleven</u> Article 16 of the Law of Ukraine "On Preventing and Combating Domestic Violence", the Cabinet of Ministers hereby **resolves to**:

- 1. Approve the attached <u>Order for generating, maintaining and accessing the Unified State</u> Register of Domestic and Gender-Based Violence Cases.
- 2. Prior to the establishment of the Unified State Register of Domestic and Gender-Based Violence Cases, the registration of reports and complaints of violence, entry of the information on measures taken in relation to victims and perpetrators by entities engaged in preventing and combating violence as stipulated by Article 6 of the Law of Ukraine "On Preventing and Combating Domestic Violence", shall be made by entering respective data in the logs for the registration of reports (complaints) of violence and aggregating (summarizing) log data per the Dreventing and combating domestic and gender-based violence approved by the Resolution of the Cabinet of Ministers of Ukraine dated 22 August 2018 No. 658 (Official Bulletin of Ukraine, 2018, No. 69, p. 2322).

Prime Minister of Ukraine	V. HROISMAN
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	APPROVED by the Resolution of the Cabinet of Ministers of Ukraine dated 20 March 2019, No. 234.
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ORDER

for generating, maintaining and accessing the Unified State Register of Domestic and Gender-Based Violence Cases

- 1. This Order determines the procedure for generating, maintaining and accessing the Unified State Register of Domestic and Gender-Based Violence Cases (hereinafter the Register).
- 2. The Register is an automated information and telecommunication system intended for collecting, registering, accumulating, storing, adapting, changing, renewing, using, disseminating (distributing, selling, transferring), anonymizing and destructing data on cases of domestic and gender-based violence (hereinafter violence) as stipulated by the <u>Law of Ukraine</u> "On Preventing and Combating Domestic Violence".

The aim of the Register is to:

protect the vital interests of victims, including children;

prevent repeated cases of violence;

enforce the measures for preventing and combating violence;

record cases of violence, aggregate and analyse information on violence;

provide comprehensive and timely assistance to victims, entities implementing measures for preventing and combating violence determined by <u>Article 6</u> of the Law of Ukraine "On Preventing and Combating Domestic Violence" and <u>Article 7</u> of the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men" (hereinafter – entities);

coordinate the activities of entities by optimizing information exchange between entities taking measure for preventing and combating violence.

3. The Register is maintained by the Ministry of Social Policy which is responsible for:

developing a legal framework for the functioning of the Register and its methodological support;

organising interaction between information systems, the Ministry of Social Policy, Ministry of Internal Affairs, Prosecutor General's Office, State Court Administration, authorised probation bodies and information systems of other central executive authorities in the field of preventing and combating violence.

{Passage three of paragraph 3 as amended under the Resolution of the Cabinet of Ministers No. 171 dated 26 February 2020}

The Register keeper is entitled to receive information and documents required to ensure proper generation and maintenance of the Register from ministries, other central and local executive authorities, enterprises, institutions and organizations regardless of their property form and subordination, public organisations, other bodies and institutions with functions of taking measures to prevent and combat violence. Documents and information containing personal information shall be provided on the grounds and in the manner determined by the Law of Ukraine "On Preventing and Combating Domestic Violence" and this Order.

4. A state enterprise within the jurisdiction of the Ministry of Social Policy and determined by it shall serve as the Register administrator and performs the following functions:

takes measures to create, implement and support the Register software;

is responsible for the technical and technologic support and protection of the Register data;

takes technical and technologic measures to grant, suspend and revoke access to the Register, keep user records;

ensures that discipline and security are monitored; trains on how to enter data and use the Register.

5. Register registrars are employees of the entities specified in <u>passage two</u> Part Six, Article 16 of the Law of Ukraine "On Preventing and Combating Domestic Violence", namely:

the staff of the authorised structural units of the Ministry of Social Policy;

authorised individuals (coordinators) for ensuring equal rights and opportunities for women and men, preventing and combating gender-based violence from local state administrations and rural, town, city, district within the city (if available) councils;

authorised individuals from district, district within the cities of Kyiv and Sevastopol state administrations, executive authorities of rural, town, city, district within the city (if available) councils, whose functional duties include accepting and registering reports and complaints of violence:

the staff of the authorised units of the National Police bodies:

the staff of child protection services (where children are perpetrators or victims of violence cases);

executives and authorised staff of social service centres for families, children and youth.

6. Reporting subjects are entities informing registrars about facts of reports (complaints) of violence, court judgments concerning violence under the <u>Order for interaction between entities engaged in preventing and combating domestic and gender-based violence</u> approved by the Resolution of the Cabinet of Ministers of Ukraine dated 22 August 2018 No. 658 (Official Bulletin of Ukraine, 2018, No. 69, p. 2322) for the purpose of entering respective data in the Register.

Reporting subjects include executives and authorised staff of:

social and psychological assistance centres, shelters for victims, medical and social rehabilitation centres for victims, centres providing social services in the communities, shelters for children, centres for child social and psychological rehabilitation, other facilities, institutions and organizations providing social services to victims;

centres providing free secondary legal aid;

educational institutions;

healthcare institutions (facilities);

authorised probation bodies;

prosecution authorities;

courts.

7. Register users are individuals with a right to review data contained in the Register:

the staff of the authorised structural units of the Ministry of Social Policy;

employees of the authorised structural units of the Council of Ministers of the Autonomous Republic of Crimea, region, Kyiv and Sevastopol city state administrations;

Deputy Heads (coordinators) for ensuring equal rights and opportunities for women and men, preventing and combating gender-based violence from local state administrations and rural, town, city, district within the city (if available) councils;

authorised individuals from district, district within the cities of Kyiv and Sevastopol state administrations, executive authorities of rural, town, city, district within the city (if available) councils, whose functional duties include accepting and registering reports and complaints of violence;

the staff of the authorised units of the National Police bodies;

the staff of child protection services (where children are perpetrators or victims of violence cases);

authorised staff of social service centres for families, children and youth; judges.

- 8. Information of the Register registrars, users and reporting subjects shall be entered in the Register organizational structure directory. Directories of Register users and registrars at the national and regional level shall be maintained by the Register administrator; and by authorised units of the Council of Ministers of the Autonomous Republic of Crimea, region, Kyiv and Sevastopol city state administrations at the local level.
- 9. On the day when the order on appointment or dismissal of Register registrars, users or reporting subjects is signed, staff departments (if any) and entity executives (authorised employees) shall report the same in writing (by email) to the Register administrator or the structural unit of the Council of Ministers of the Autonomous Republic of Crimea, region, Kyiv and Sevastopol city state administrations responsible for maintaining directories of the specified agencies in order to make relevant changes concerning Register registrars and users.

The procedure for granting entity employees access to Register data shall be determined by the internal order of such entity in accordance with the Regulations on the technical access and information exchange approved by the Register administrator.

10. Personal information to be included in the Register shall be processed as per the requirements of the <u>Law of Ukraine</u> "On Personal Data Protection", <u>Article 16 of the Law of Ukraine</u> "On Preventing and Combating Domestic Violence" and the Order for personal data processing determined by the Ministry of Social Policy.

Personal data about the person, who reported the violence, or the victim shall be processed with their consent or that of their legal representative by authorised individuals of entities engaged in taking measures to prevent and combat violence in compliance with the <u>Law of Ukraine</u> "On Personal Data Protection". When giving such consent, the individual must know the purpose of data collection, its scope and individuals who will have access to such personal information.

If the victim is a child, such consent shall be given by his/her parents or other legal representatives, and if parents (other legal representatives of the child) are perpetrators or evade the protection of the child's rights and interests – by the custody and guardianship authority.

If the victim is a legally incapable person, then such consent shall be given by their legal representative, and if such legal representative is a perpetrator or evades the protection of the legally incapable person's rights and interests – by the custody and guardianship authority.

The refusal of the violence victim to have their data entered in the Register shall not constitute the ground for not providing such person with any kind of assistance stipulated by the legislation.

11. In this Order, terms are used in the meaning given to them in the Laws of Ukraine "On Preventing and Combating Domestic Violence", "On Ensuring Equal Rights and Opportunities for Women and Men", and "On Social Services".

Register generation and maintenance

- 12. The Register shall be generated by entities on the case-by-case basis by way of entering relevant information with account for peculiarities stipulated by <u>Part Six</u> Article 16 of the Law of Ukraine "On Preventing and Combating Domestic Violence".
 - 13. The following data (for each separate case) shall be entered in the Register:
 - 1) violence case:

date and time of the violent incident, place, form of violence, type of harm or suffering caused by the violence, circumstances of the violent incident, whether it is primary or secondary violence on the part of the perpetrator;

surname, first name and patronymic of the person who reported the violence against another individual, passport series and number or details of another identity document (if any), contact telephone number;

whether the victim and the perpetrator have children, whether the victim's family is in complicated life circumstances;

the report of the authorised unit of the National Police bodies (date, time, unit name, surname, first name and patronymic of the official who accepted the report) in case when the report (complaint) of violence was registered by the authorised individual at the district, district in the cities of Kyiv and Sevastopol state administrations, executive authorities of the rural, town, city, district within the city (if available) councils;

the report to the child protection service (date, time, surname, first name and patronymic of the official who accepted the report) where a victim or a perpetrator is a child;

information on the response measures taken by the authorised unit of the National Police body;

information on the authorities (institutions, facilities) engaged in responding to the violence case:

information on the inclusion of information on the violence case in the Unified Register of Pre-Trial Investigations and results of its investigation (including, information from the prosecuting authorities);

other information contemplated by the entity's primary record documents, where their inclusion in the Register corresponds to the purpose of such data processing as determined by the Law of Ukraine "On Preventing and Combating Domestic Violence";

2) the victim and measures taken to assist them:

time and date of the report, complaint of violence; surname, first name and patronymic, title, contact number of the authorised individual who accepted the report (complaint); name and address of the relevant entity;

surname, first name and patronymic of the victim (legal representative); passport series and number or details of another identification document (if any); victim's date of birth, sex, address of the actual place of residence (stay), place of work, education (if any), contact phone number;

where the victim is a child, information on their legal representatives: surname, first name and patronymic, date of birth, address of the actual place of residence (stay), contact phone

number; relation to the child (parents, legal guardians, foster parents, parents-caregivers at the family-type foster home); if the functions of legal representatives are exercised by the child care facility where the child lives – its details; information on whether legal representatives (one of them) are perpetrators or evade the fulfilment of parental duties or the protection of the child's rights and interests (if any); the results of security level assessment; information on the child's temporary placement (if any) with the family of relatives, acquaintances, foster carer, child welfare facility;

victim's category (legally incapable person, person with limited capability, orphaned child, child deprived of parental care, person with disability, single parent, etc.);

information on the victim's need of emergency medical care (yes/no, measures taken, date and number of the referral, name of the facility, institution);

information on the need for free emergency psychological care (yes/no, measures taken, date and number of the referral, name of the facility, institution);

details (date and number) of referrals to other organizations, institutions, facilities, and their names;

information on other needs of the victim;

where the victim is a child, information on their registration with the child protection services as children in dire life circumstances, or the primary registration of children left without parental care, orphaned children and children deprived of parental care;

information on the conduct of victim's need assessment, domestic violence risk assessment (date, conducting authorities, institutions);

information on the approved programme for the victim (date and number), implementation results;

information on services provided to the victim: types (social services, free medical, social, psychological assistance), terms of services, authority, institution, facility that provided the service or assistance, information on granting temporary shelter (term, institution, facility that provided such shelter);

Information on the reimbursement by the perpetrator of inflicted pecuniary damage and harm caused to the victim's mental health (date of filing a claim, court name, date and number of the court judgment on recovering damage or refusal to do the same; the amount of damage as per court judgement);

information on the provision of free legal aid to the victim (name of the centre, description of assistance and date of its provision);

other information contemplated by the entity's primary record documents, where their inclusion in the Register corresponds to the purpose of such data processing as determined by the <u>Law of Ukraine</u> "On Preventing and Combating Domestic Violence";

3) perpetrator:

surname, first name and patronymic of the perpetrator, sex, date of birth, information on the nature of the relationship between the perpetrator and the victim, language of communication with the victim, including under <u>Article 3</u> of the Law of Ukraine "On Preventing and Combating Domestic Violence";

address, place of work, education (if any), contact phone number;

emergency barring order issued against the perpetrator by the National Police body (date and number) and the application of measures provided for by the order;

including perpetrator in the preventive registration list (date and grounds for such registration) and removing from such list;

court's referral of the perpetrator to the perpetrator treatment programmes (date and number of the court decision, programme term);

results of perpetrator's programme for a given perpetrator;

criminal proceedings where the perpetrator is suspected of the violence act (date and number of the proceedings, pre-trial investigation authority) and results of the pre-trial investigation;

the resolution passed against the perpetrator in a case on administrative offence on the charges of violence (date and number, entity that passed the resolution, type of resolution and administrative sanction (if any));

court judgement in the criminal case against the perpetrator on the charges of violence (date and number, the court that passed a judgement, type of preventive or restrictive measure, criminal punishment);

court judgments on the application (issue or renewal) of the restraining order (date and number of the court judgment, name of the court that passed the judgment, duration of restrictive measures);

date when the perpetrator's criminal punishment ends (based on the data from authorised units of the National Police bodies – for criminal punishments in the form of restriction of liberty or imprisonment; and based on the data from authorised probation bodies – for criminal punishments not related to the restriction of liberty or imprisonment and perpetrators released from probation);

probation programme approved for the perpetrator by the court (based on data from authorised probation bodies);

other information contemplated by the entity's primary record documents, where their inclusion in the Register corresponds to the purpose of such data processing as determined by the <u>Law of Ukraine</u> "On Preventing and Combating Domestic Violence".

- 14. The registrar shall enter information in the Register by recording (entering) data based on the primary record forms (record cards) approved by the Ministry of Social Policy and through information exchange under the Regulations for technical access and information exchange approved by the Register administrator.
- 15. Electronic copies of court judgments and information, stipulated by <u>passage four</u> paragraph 20 of this Order, contained in the Unified State Register of court judgments in administrative offences and criminal prosecution based on court judgments that took effect shall be provided by the Register administrator in the electronic form under the procedure of information exchange determined by the State Court Administration and the Ministry of Social Policy.
- 16. The exchange of information contained in the Register and information systems of the Ministry of Internal Affairs, Prosecutor General's Office, State Court Administration, authorised probation bodies, other central executive authorities engaged in preventing and combating violence, shall take place through communication in accordance with respective orders of such authorities.

{Paragraph 16 as amended under the Resolution of the Cabinet of Ministers <u>No. 171 dated 26 February 2020</u>}

17. Register generation shall start at the moment of registrar's entry of relevant information on the receipt of a report, complaint of violence or data received through information exchange.

The Register automatically records registrar's data, date of data entry and assigns a number to the case. The case is registered after the registrar confirms such data by using the qualified electronic signature.

18. The grounds for inclusion of data on the victim in the Register shall include:

registrar's receipt of a report or complaint about violence;

receipt by the Register registrar of information from the reporting subject (following the verification to avoid re-entry of the same case by different Register registrar).

Data on the victim shall be entered in the Register in the presence of the document confirming their voluntary consent except for cases stipulated by law (cases of violence against children and legally incapable persons or detection of criminal violence facts when such consent is not be required).

The reporting subject shall submit the following documents:

a completed report form signed by the reporting subject's manager or his or her deputy concerning the receipt of the report or complaint of violence and any measures taken for the victim (medical, psychological assistance, etc.) as approved by the Ministry of Social Policy;

a scanned copy of the report or a report in the form of the victim's electronic document or complaint of violence;

scanned copies of other documents or electronic documents related to the violence case provided by the victim (his or her representative) or a person who reported such violence (if any);

documents confirming the provision of services (assistance), measures taken.

The data shall be filed to the Register registrar in the form of a letter sent via an electronic document management system using the system of electronic communication between state electronic resources or in the form of a paperback medium in accordance with the Order for interaction between entities engaged in preventing and combating domestic and gender-based violence.

The reporting subject shall file information on the receipt of the report or complaint of violence (download from the electronic document management system) to the Register registrar who is the employee of the authorised units of the National Police bodies in the territory of the relevant administrative unit at the victim's place of residence (stay); information on the measures taken in relation to the victim, where the violence case is entered in the Register, shall be filed to the registrar who is the authorised individual at the district, district in the cities of Kyiv and Sevastopol state administrations, executive authorities of rural, town, city, district within the city (if available) council at the place of victim's stay, and where perpetrators or victims are children – to the registrar who is the employee of respective child protection services.

19. Registrars shall enter information in the Register within the established terms:

information stipulated by <u>passages three</u> and <u>four subparagraph 1</u>, <u>passages two to eight</u>, <u>subparagraph 2</u>, <u>paragraph 13</u> of this Order – without delay but no later than within the 24 hours from the moment of filing of the report (complaint);

information on issued referrals to institutions/facilities – no later than within 24 hours from the moment of the referral issue;

information on the victim's needs – within three business days from the moment of needs assessment;

information on the approved programme for the victim – no later than within 24 hours from the moment of programme approval; data on programme completion – within 24 hours from the moment when measures stipulated by the programme are taken;

information on providing the victim with social services, temporary shelter, free legal aid, child's inclusion by the child protection service in the list of children in dire life circumstances or the primary list of children left without parental care, orphaned children and children deprived of parental care – no later than within 24 hours since information on the provision of such services (assistance) is received from reporting subjects, placement of the person in the shelter, registration;

information on the rulings passed in the administrative offence case on the charges of violence and court judgments passed, including on the perpetrator's reimbursement of pecuniary losses and damage – no later than within 24 hours from the moment when the court ruling or judgment is received;

information stipulated by <u>passages two</u>, <u>three</u>, <u>six</u> and <u>seven</u>, <u>subparagraph 1</u>, <u>passage two</u>, <u>subparagraph 3</u>, <u>paragraph 13</u> of this Order – no later than within 24 hours since the moment when the information on the violence case is verified in accordance with the Order for interaction between entities engaged in preventing and combating domestic and gender-based violence;

information stipulated by <u>passage eight</u>, subparagraph 1, paragraph 13 of this Order – no later than within 24 hours since the moment when data on the violence case are entered in the Unified Register of Pre-Trial Investigations;

information stipulated by <u>passage eleven</u>, subparagraph 3, paragraph 13 of this Order – no later than within 24 hours since the moment when the information is received by authorised units of the National Police bodies;

information received from reporting subjects – no later than within 24 hours since the day of their receipt and verification.

Authorised probation bodies shall inform authorised National Police bodies in the territory of the relevant administrative unit about any perpetrators who are sentenced to criminal punishments not related to imprisonment or restriction of liberty or released on probation.

To enter information in the Register, reporting subjects shall file the following to the registrars:

information stipulated by <u>passages four</u> and <u>five subparagraph 1</u>, <u>passages two to eight</u>, <u>ten to sixteen</u>, <u>subparagraph 2</u>, <u>paragraph 13</u> of this Order – no later than within 24 hours since the moment of the report or complaint of violence receipt, the conduct of victim's needs assessment, day of the service (assistance) provision start and end, placement in the shelter, entry of the data on the violence case in the Unified Register of Pre-Trial Investigations;

information stipulated by <u>passage twelve</u> subparagraph 3, paragraph 13 of this Order – no later than ten business days prior to the end of perpetrator's service of the criminal punishment;

electronic copies of court judgments and information specified in passages <u>five</u>, <u>eight</u>, <u>nine</u> and <u>ten</u> subparagraph 3, paragraph 13 of this Order – on the day when they are generated by the automated court document management system.

20. Information specified in <u>passages two to nine</u> subparagraph 2, paragraph 13 of this Order shall be entered in the Register by its registrar who received a report (complaint) of violence or information from the reporting subject.

Information specified in <u>passages four</u> and <u>five subparagraph 1</u>, <u>passages ten to sixteen subparagraph 2</u>, <u>passage five subparagraph 3</u>, <u>paragraph 13</u> of this Order shall be entered in the Register by its registrars who are authorised individuals of district, district within the cities of Kyiv and Sevastopol state administrations, executive authorities of rural, town, city, district within the city (if available) councils whose functional duties include accepting and registering reports and complaints of violence, or employees of child protection services (in violence cases where children are perpetrators or victims).

Information specified in <u>passages two</u> and <u>three</u>, <u>six</u> and <u>seven subparagraph 1</u>, <u>passages two to four</u>, <u>six</u>, <u>seven</u> and <u>eleven subparagraph 3</u>, <u>paragraph 13</u> of this Order shall be entered in the Register by its registrars who are employees of authorised National Police bodies.

Electronic copies of court judgments and information specified in passages <u>five</u>, <u>eight to ten</u> subparagraph 3, paragraph 13 of this Order shall be generated by the automated court document management system.

- 21. Information on the perpetrator shall be entered in the Register by its registrar upon confirmation of the violent incident, receipt of the letter within the document management system or as a paperback copy in accordance with the Order for interaction between entities engaged in preventing and combating domestic and gender-based violence.
- 22. The information recorded in the Register shall be edited (changed, updated or supplemented) by entering updated data to the relevant paragraph of the information form in accordance with the respective registrar's powers specified in <u>paragraph 20</u> of this Order, as well as based on the written submission (in the electronic or paperback form) filed by reporting subjects and Register users in case inaccuracies, technical mistakes, or incomplete information are identified, which is then automatically recorded in the user action log.
- 23. Registrars shall enter information in the Register, as well as edit (change, update, supplement or delete) it using a qualified electronic signature compatible with the Register software.
- 24. Personal data of the individual who reported violence shall be stored in the Register for one year since the receipt of respective information on the violence act and shall subsequently be anonymized to be used in the scientific and statistical purposes under the legislation.

Victim's personal data shall be stored in the Register for three years since the date of violence act and subsequently anonymized to be used in the scientific and statistical purposes under the legislation.

Perpetrator's personal data shall be stored in the Register if:

there is no criminal proceedings against the perpetrator in connection with the commission of domestic violence, gender-based violence or other forms of violence against the victim; there is no court judgment that took legal force in relation to the issue of the restraining order or imposition of administrative sanction, nor a court verdict finding the perpetrator guilty of domestic violence, gender-based violence or other forms of violence against the victim – for a year since the day when the relevant information on violence act was received;

there is a court verdict of acquittal that took legal force – until the corresponding court judgment becomes final;

criminal proceedings are initiated against the perpetrator in connection with the commission of domestic violence, gender-based violence or other forms of violence against the victim – during the criminal investigation period;

there is a court judgment that took legal force in relation to the issue of a restraining order or administrative sanction – for three years since the day when the respective court judgment became final;

the court passed a verdict of guilty that took legal force in relation to the perpetrator and sentenced him or her to endure punishment for the commission of domestic violence, gender-based violence or other forms of violence against the victim – for ten years since the day when the sentence ends;

the court passed a verdict, that took legal force, on finding the perpetrator guilty of domestic violence, gender-based violence or other forms of violence against the victim without serving a sentence – for ten years since the day the respective court judgment became final. Upon expiration of said terms, perpetrator's data shall be anonymized for the use in scientific and statistical purposes under the law.

Should the fact of violence be refuted, as well as after the expiration of the term of personal data storage in the Register, such data shall be subject to deletion in the manner provided for by the law.

Such data shall be deleted by the Register registrar who entered them or another registrar authorised to enter data on cases of violence committed within the territory of the relevant administrative unit by way of their destruction in the primary record forms (record cards).

Confidentiality of Register data usage

25. Information entered in the Register is confidential. The state guarantees non-disclosure of confidential information. Information contained in the Register shall be collected, stored, used and protected under the law.

A comprehensive information protection system with certified compliance with <u>Article 8</u> of the Law of Ukraine "On Protection of Information in the Information and Telecommunication Systems" shall be established within the Register.

- 26. Information contained in the Register shall only be provided in cases stipulated by law and only in the interests of the national security, economic welfare, and human rights or with the consent of the individual that this information pertains to.
- 27. Access to the information and data contained in the Register shall be provided to entities in compliance with the requirements of the <u>Criminal Procedure Code of Ukraine</u>, <u>Code of Ukraine on Administrative Offences</u>, Laws of Ukraine <u>"On Protection of Information in the Information and Telecommunication Systems"</u>, <u>"On Personal Data Protection"</u>, <u>"On Electronic Trust Services"</u>, <u>"On Law-Enforcement Intelligence Activities"</u>, <u>"On Counterintelligence Operations"</u> and subject to the grounds contemplated by the law.
- 28. Information from the Register may be provided to the victim (their legal representative) as per Article 16 of the Law of Ukraine "On Personal Data Protection", or entities in cases established by law and exclusively in the interests of such person to provide them with services (assistance) to the extent appropriate for the purpose of such information usage. Information shall be provided to the entities by the Register registrar in cases contemplated by law in the form of the extract from the Register as established by the Ministry of Social Policy.
- 29. Register administrator shall take a complex of programmatic, technologic and organizational measures to protect information contained in the Register from unauthorised access.

30. In each case of registrars' violations of the procedure for the use of electronic identification means determined by the Regulations on technical access and information exchange approved by the Register administrator, the latter shall take prompt measures to suspend such access and then report this fact to the Register keeper.

Access to the information contained in the Register

31. The following individuals shall have access to the information contained in the Register:

Register keeper – to all information, subject to powers determined by the Laws of Ukraine "On Preventing and Combating Domestic Violence", "On Ensuring Equal Rights and Opportunities for Women and Men", the Order for interaction between entities engaged in preventing and combating domestic and gender-based violence and this Order;

employees of the authorised structural unit of the Council of Minister of the Autonomous Republic of Crimea, region, Kyiv and Sevastopol city state administrations – information concerning cases of violence, victims and perpetrators within the territory of the relevant administrative unit;

authorised individuals (coordinators) for ensuring equal rights and opportunities for women and men, preventing and combating gender-based violence from the local state administrations and rural, town, city, district within the city (if available) councils – information concerning cases of violence, victims and perpetrators within the territory of the relevant administrative unit;

heads and authorised individuals from district, district within the cities of Kyiv and Sevastopol state administrations, heads and authorised individuals of executive authorities of rural, town, city, district within the city (if available) councils – information concerning cases of violence that the foregoing individuals maintain a record of;

executives and staff of authorised units of the National Police bodies – information concerning cases that the foregoing individuals maintain a record of;

executives and employees of child protection services – information concerning cases where children are perpetrators or victims of violence;

judges – information concerning violent incidents pending court consideration, including regarding the reimbursement of pecuniary losses and damage caused by the perpetrator, harm inflicted on the victim's physical or mental health.

Information in the form of the extract from the Register may also be provided to:

heads and authorised individuals of social service centres for families, children and youth, social and psychological assistance centres, shelters for victims, medical and social rehabilitation centres for victims, social service centres within territorial communities, other facilities, institutions and organisations providing social services to victims – information concerning cases where victims were referred to the foregoing services;

heads and authorised staff of the free secondary legal aid centres (including, lawyers of such centres) – information concerning cases where victims were referred to the foregoing centres;

prosecutors – information concerning violence cases where data on them are entered in the Unified Register of Pre-Trial Investigations and the perpetrator is served with charges;

heads and staff of authorised probation bodies – information concerning cases where perpetrators are sentenced to criminal punishments not related to imprisonment or restriction of liberty, and administrative sanctions are imposed;

child protection services – information concerning perpetrator's deprivation of parental rights.

32. Entities' access to the Register and the possibility to enter information in it shall be granted (suspended) upon the application from their head or deputy head submitted to authorised structural units specified in <u>paragraph 6</u> of this Order following their review and acceptance of terms stipulated by the Regulations on technical access and information exchange approved by the Register administrator.

Register registrars and users shall access the Register using qualified electronic signatures compatible with the Register software, login and password; Register reporting subjects – using login and password. The registrar shall independently take steps related to obtaining the qualified electronic signature from the accredited key certification authority; login and password shall be provided by the Register administrator.

- 33. Register administrator shall approve the Regulations on technical access and information exchange and ensure that Register registrars, users and reporting subjects review it.
- 34. The Register provides for the possibility to search and systemize (group) information by any data category specified in <u>paragraph 13</u> of this Order, a list of Register registrars (their group), as well as by administrative units where violence was committed.

Control over the entry of data in the Register and its use

- 35. Managers of Register registrars, reporting subjects, Register users at all levels shall ensure in their agencies control over the timely entry in the Register of credible and complete information within terms stipulated by the Laws of Ukraine "On Preventing and Combating Domestic Violence", "On Ensuring Equal Rights and Opportunities for Women and Men" and this Order, as well as over the timely response to violence cases; they are personally responsible for the exercise of these functions.
- 36. Heads of authorised structural units of the Ministry of Social Policy, the Council of Minister of the Autonomous Republic of Crimea, region, Kyiv and Sevastopol city state administrations, territorial bodies of the National Police shall ensure systematic inspections of whether registrars enter information on violence cases in the Register and whether the measure taken in response to them are complete and timely as per Laws of Ukraine "On Preventing and Combating Domestic Violence", "On Ensuring Equal Rights and Opportunities for Women and Men" and this Order.
- 37. Registrars and reporting subjects shall be responsible for the timeliness, completeness and credibility of the information entered in the Register under the law. Register registrars, users and reporting subjects are required to use information from the Register only for the purposes established by the legislation.
- 38. The Register keeper, administrator, registrars and reporting subjects shall be held liable for observing this Order, and any illegal interference with the operation of the Register, as well as any disclosure of confidential information contained in the Register, as established by law.