

7. *Lehenka M.M.* (2017). Zarubizhnyi dosvid protydii nasylstvu v simi ta mozhlyvosti yoho vykorystannia v Ukraini. "Foreign experience in combating native violence and the possibility of its use in Ukraine". *Pravo i bezpeka*. No. 4 (67). P. 111–116 [In Ukrainian].

8. LOI visant a proteger les victimes de violences conjugales. URL: https://www.assemblee-nationale.fr/dyn/15/textes/l15b2587_texte-adopte-commission#D_Chapitre_V_14 (Date of Application: 12.10.2021) [In French].

9. LOI n° 2019-1480 du 28 decembre 2019 visant a agir contre les violences au sein de la famille. URL: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000039684243/> (Date of Application: 02.10.2021) [In French].

10. Mizhnarodnyi dosvid poperedzhennia ta protydii domashnomu nasylstvu: monohrafiia / A.O. Halai, V.O. Halai, L.O. Holovko, V.V. Muranova ta in. "International experience in preventing and combating domestic violence": a monograph / for general ed. A.O. Halai. K.: KNT, 2014. 160 p. [In Ukrainian].

11. LOI n° 2019-222 du 23 mars 2019 de programmation 2018-2022 et de reforme pour la justice (1). URL: <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000038261631/> (Date of Application: 02.10.2021) [In French].

12. Loi n° 2018-703 du 3 аоыт 2018. URL: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037284450> (Date of Application: 01.10.2021) [In French].

13. Domestic Abuse Guidelines for Prosecutors: Legal Guidance, Domestic abuse. URL: <https://www.cps.gov.uk/legal-guidance/domestic-abuse-guidelines-prosecutors> (Date of Application: 24.10.2021) [In English].

14. Domestic violence and abuse: help from DWP. Department for Work and Pensions and Home Office. URL: <https://www.gov.uk/government/publications/domestic-violence-and-abuse-help-from-dwp> (Date of Application: 26.10.2021) [In English].

15. *Erturk Y.* Implementation of general assembly resolution 60/251 of 15 march 2006 entitled "Human rights council". Report of the Special Rapporteur on violence against women, its causes and consequences. URL: <http://evawglobal-database.unwomen.org/-/media/files/un%20women/vaw/country%20> (Date of Application: 28.10.2021) [In English].

16. Restraining orders in Sweden An evaluation of the law, the new regulations, their implementations and effects: summary. URL: <http://kunskapsbanken.nck.uu.se/nckkb/nck/publik/fil/visa/31/br%C3%A5%20rapport%202007%20%20english%20summary%20restraining%20orders%20in%20sweden.pdf> (Date of Application: 03.10.2021) [In English].

17. Act on Violence against Women (Government Bill 1997/98 55). Global Database on Violence against Women. URL: <http://evaw-global-database.unwomen.org/en/countries/europe/sweden/1998/act-on-violence-against-women-governmentbill-1997-98-55> (Date of Application: 21.10.2021) [In English].

18. *Horbova H.O.* (2015) Zarubizhnyi dosvid u sferi protydii nasylstvu v simi (na prykladi okremykh krain Yevropy). Naukovyi visnyk Khersonskoho derzhavnogo universytetu. Seriiia "Iurydychna nauka". Vyp. 2-3. Tom.3. P. 211–215 [In Ukrainian].

19. Postepowanie nieprocesowe w sprawach o zobowiazanie osoby stosujacej przemoc w rodzinie do opuszczenia wspolnie zajmowanego mieszkania i jego bezposredniego otoczenia lub zakazanie zblizania sie do mieszkania i jego bezposredniego otoczenia. URL: https://sip.lex.pl/komentarze-i-publicacje/komentarze-praktyczne/postepowanie-nieprocesowe-w-sprawach-o-zobowiazanie-470138952#xd_co_f=NWQ3MDRkOWYtMDc2Yy00YTExLWl3NjctNDYxMjFjZmQ3OTYz- (Date of Application: 12.10.2021) [In Polish].

20. Mynysterstvo yustytsyy Yzraylia. Yurydycheskyi otdel. Nasylye v seme. URL: <https://www.justice.gov.il/Ru/Units/LegalAid/LegalAssistanceDomains/Pages/FamilyViolence.aspx> (Date of Application: 19.10.2021) [In Israel].

21. *Klymenko O.Yu.* (2015). Instytutstionalizatsiia sotsialnoho zakhystu ditei u kryzovykh sytuatsiiah v ukrainskomu suspilstvi: monohrafiia. "Institutionalization of social protection of children in crisis situations in Ukrainian society: monograph". Kharkiv: KhDAK. 400 p. [In Ukrainian].

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ORCID ID 0000-0003-4866-321X**FOREIGN EXPERIENCE OF LEGAL REGULATION OF PREVENTION
AND COMBATING DOMESTIC VIOLENCE AND THE POSSIBILITY
OF ITS APPLICATION IN UKRAINE**

Modern society follows the democratic vector of state development based on humanism and the comprehensive protection of human rights. The activity of the state and the society in the fight against domestic violence is directly related to the above-mentioned. Ukraine does not stand aside from this problem, directing significant resources to combat this negative phenomenon. However, the native practice of overcoming domestic violence is slowed down partly due to the lack of effective tools in the police as the primary response authority as well as due to the inability to provide security to victims at the out-of-court stage of resolving family conflicts, that often leads to irreparable consequences. Therefore, recourse to the foreign experience in the said area is so important.

The article investigates foreign examples of organizational and legal prevention and counteraction to domestic violence. The focus is mainly made on the experience of leading European countries. A brief analysis of foreign legislation has shown that, despite the lack of a common terminology, domestic violence is considered as a serious violation of fundamental human rights, including the right to life, liberty and security of person, the right to freedom from torture, the right to freedom from torture, ill-treatment or inhuman treatment and it is condemned by a society. Thereafter, realizing the harmful effects of this negative phenomenon, all developed countries are devoting significant resources and efforts to counteract it. Foreign law is focused primarily not on overcoming the consequences of the offense and punishment for domestic violence, but mainly on concentrating of significant efforts and resources on the prevention and cessation of such offenses, on the organization of preventive measures. The article considers illustrative examples and emphasizes the possibility of their usage in domestic realities.

The emphasis is placed on the priority of applying precautionary measures by the primary response authorities at the out-of-court stage of conflict resolution. As their advantages, the authors highlight the complex nature of such measures to prevent domestic violence. It is important to understand that preventing this

phenomenon, rather than overcoming the consequences, has both social benefits, namely reducing violence, the number of affected and maimed people, broken destinies, and utilitarian, such as reducing the burden on investigative and judicial bodies, reducing prisoners and the need for their detention and further re-socialization. However, it is noted that such measures should be based on a strict control system.

Keywords: domestic violence, human rights, counteraction, offender, victim.

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