

**COMPARATIVE ANALYSIS OF INTERNATIONAL LEGAL
INSTRUMENTS TO PREVENT AND COMBAT VIOLENCE AGAINST
WOMEN AND DOMESTIC VIOLENCE**

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The problem of violence against women and domestic violence is a serious global problem that requires attention and action at the international level. The international community has developed several international legal instruments to prevent and combat this type of violence. In this thesis, a comparative analysis of such tools will be carried out with an emphasis on their principles, goals, scope, and effectiveness. Links to academic research, reports and official documents will be provided to provide the reader with reliable information.

1. Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention):

The Istanbul Convention, adopted by the Council of Europe in 2011, is one of the important international legal instruments in the field of preventing and combating violence against women and domestic violence. The Convention defines violence against women as a violation of human rights and establishes standards for the prevention, protection of victims and punishment of perpetrators [1].

Objectives and scope of application:

The Istanbul Convention recognizes violence against women as a violation of human rights and establishes a wide range of measures to prevent, protect victims and punish perpetrators. The Convention covers all forms of violence, including physical, sexual, psychological and economic violence, as well as harassment and forced marriage.

Victim protection:

The Istanbul Convention provides victims of violence with a wide range of protective measures, including protective orders, temporary measures, housing, medical care, psychological support and access to justice. The Convention also recognizes the importance of establishing specialized services and establishing national coordination mechanisms for the effective implementation of victim protection.

Prevention and awareness:

The Istanbul Convention focuses on preventive measures and awareness of violence against women. The Convention calls on the participating States to conduct educational programs, campaigns and research to create awareness about the problem of violence, as well as to promote equal and respectful relations between the sexes.

International cooperation:

The Istanbul Convention emphasizes the need for international cooperation in combating violence against women. The Convention obliges the participating States to cooperate with each other in the field of information exchange, extradition of perpetrators and assistance to victims, as well as to cooperate with international organizations and non-governmental organizations to achieve common goals [2].

The Istanbul Convention plays an important role in combating violence against women and domestic violence. Its principles, protective measures and emphasis on preventive measures make it a significant international instrument.

However, for the full effectiveness of the Convention, it is necessary to ensure its widespread ratification and implementation by the participating States, as well as support and participation from the international community and non-governmental organizations.

United Nations Declaration on the Elimination of Violence against Women:

The United Nations Declaration on the Elimination of Violence against Women, adopted in 1993, is one of the key documents aimed at combating violence against women. The declaration emphasizes the need to protect women's rights, prevent violence against them and prosecute perpetrators [3]. This comparative analysis will examine the basic principles, mechanisms and role of the UN Declaration in comparison with the Istanbul Convention.

Objectives and scope:

Victim Protection:

The UN Declaration provides victims of violence with important protective measures, such as access to fair justice, medical care, psychological support and social services. She also recognizes the importance of establishing mechanisms to support and assist victims of violence.

The UN Declaration on the Elimination of Violence against Women recognizes violence against women as a violation of human rights and establishes the obligations of Member States to prevent and eliminate this violence. The Declaration covers all forms of violence, including physical, sexual and psychological violence.

Prevention and awareness:

The UN Declaration calls on Member States to take preventive measures, including educational programs, awareness, training and cooperation with non-governmental organizations to combat violence against women [4].

International cooperation:

The UN Declaration emphasizes the need for international cooperation to combat violence against women. It encourages Member States to cooperate with each other, as well as with international organizations and non-governmental organizations to exchange information, experience and transfer best practices.

The Istanbul Convention and the UN Declaration on the Elimination of Violence against Women play an important role in combating violence against women. Both documents recognize violence as a violation of human rights and offer protective measures and preventive measures. However, the Istanbul Convention regulates the area of violence against women and domestic violence in more detail, providing a wider range of protection measures and establishing clear obligations for States parties.

2. The United Nations Convention on the Elimination of All Forms of Discrimination against Women:

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979, does not directly focus on violence against women, but it recognizes that such violence is a form of discrimination and provides measures to prevent and elimination [5]. Next, the basic principles and mechanisms of the CEDAW Convention and their comparison with the Istanbul Convention will be considered.

Purpose and scope of application:

The CEDAW Convention aims to eliminate discrimination against women in all its forms and manifestations. It covers various areas of life, including political participation, education, health, labor rights and violence against women.

Protection of women's rights:

CEDAW obliges participating States to take measures to eliminate discrimination and guarantee gender equality. The Convention protects women's rights, including the right to life, liberty and personal integrity, equality in marriage and family, access to legal aid and other rights.

Prevention and awareness:

CEDAW calls on the participating States to take measures to prevent discrimination and raise awareness of women's rights. She supports educational

programs, campaigns and research to raise awareness and change attitudes towards women.

Monitoring and reporting:

CEDAW provides for monitoring mechanisms, including regular reports by the States Parties on the measures taken to implement the provisions of the Convention. A committee of experts is also planned to examine the reports and make recommendations to the States Parties [6].

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) plays an important role in protecting women's rights and preventing discrimination. It covers a wide range of areas and obliges participating States to take measures to eliminate discrimination and guarantee gender equality. The comparison of CEDAW with the Istanbul Convention makes it possible to highlight overlapping and complementary aspects in the field of violence prevention and the protection of women's rights.

3. European Union Framework Decision on Combating Violence against Women:

The European Union Framework Decision, adopted in 2001, sets common standards for preventing and combating violence against women, including domestic violence. The Decision obliges Member States to take measures to protect victims and punish those responsible [7]. The fundamental principles and mechanisms of the framework decision are discussed below and compared with the Istanbul Convention and the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Purpose and scope of application:

The European Union framework decision aims to prevent and combat violence against women and domestic violence. It includes various forms of violence, including physical, psychological and sexual violence, as well as coercion and control.

Protection of women's rights:

The Framework decision obliges the Member States of the European Union to take measures to protect women's rights, in particular access to assistance services, mutual legal assistance and protective measures. It also recognizes the right of victims to compensation and rehabilitation.

Prevention and awareness:

The Framework Decision supports preventive measures and awareness-raising on violence against women. It includes educational programs, campaigns and studies to raise awareness and change attitudes towards violence.

Monitoring and reporting:

The framework decision provides for monitoring mechanisms, including reports from Member States on the measures taken to implement the framework decision. It also defines the role of the European Commission in coordinating and supporting the actions of the Member States [8].

The European Union framework decision on combating violence against women plays an important role in preventing and combating violence. It ensures the protection of women's rights, prevention and awareness of violence, as well as monitoring and reporting. The comparison of the framework Decision with the Istanbul Convention makes it possible to highlight common and unique aspects of the fight against violence against women and to enrich practices and policies in this field.

A comparative analysis of international legal instruments to prevent and combat violence against women and domestic violence shows that there is significant work at the international level to combat this problem. Conventions, declarations and framework decisions are important foundations for the development of national laws and policies aimed at protecting women from violence and providing them with justice. However, for these tools to be effective, their full application and compliance by States is necessary.

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