

CORROBORATION IN SEXUAL VIOLENCE CASES, CONTEMPORARY INTERNATIONAL LAW AND TRANSITIONAL JUSTICE

Parvana Bayramova*

Abstract

Specific nature of sexual violence cases requires different approach to evidentiary requirements in gender-based violence cases, especially in transitional justice. Throughout human history misconceptions on women's credibility in cases of sexual violence and rape prevailing in societies found their reflection in relevant laws as well and imposed evidentiary burdens on the victims of sexual violence, including rape. Under contemporary international law, corroboration is not a legal requirement for proving crimes of sexual violence. It means that a victim's own testimony is sufficient evidence and no additional evidence to support a victim's own testimony is required in cases of sexual violence in the absence of any other corroboration from witnesses, documents, medical reports, photos, or any other potentially corroborative evidence. It is important that the contemporary international law supports this approach through its relevant mechanisms and emphasises that a victim's testimony is not less credible and no need for corroboration to establish credibility. This paper reviews the corroboration rule in common law systems and existence of its some elements in civil law systems, investigates major developments of contemporary international law concerning evidence requirements in sexual violence cases in times of peace and during armed conflicts as well as specific approach needed to develop and implement progressive models of transitional justice on this.

Keywords: *Human rights, national legal system, international humanitarian law, international criminal law, sexual violence, CEDAW Committee, psychological harm.*

Throughout human history sexual violence against women has been under-reported and under-documented both in times of peace and during armed conflicts. It is still one of the hidden forms of violence against women and pervasive all over the world. Compared to other forms of violence against women, sexual violence is often associated with stigma, victims rarely talk about it in public or report to the law-enforcement officials, while perpetrators are punished in an extremely small number of cases due to an ineffective legal system [20, p. 8]. Sexual violence is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men [23].

Rape and other forms of sexual violence have long been prohibited by international humanitarian law and are now recognised as prohibited as a matter of customary international law at all times [6]. Sexual violence is also prohibited under main international human rights treaties through the prohibition of discrimination and the prohibition of torture and cruel, inhuman or degrading treatment or punishment, and under international criminal law.

Specific nature of sexual violence cases requires specific approach to evidentiary requirements in the relevant cases. Victims of sexual violence against women and girls face significant barriers in their access to justice, especially in the context of evidentiary rules. Throughout human history misconceptions and stereotypes on women's credibility in sexual violence cases, including rape, prevailed in societies and found their reflection in national laws, which imposed evidentiary burdens on the victims of sexual violence through corroboration requesting independent evidence in addition to a

* Ph.D. in Law, Baku State University

victim's testimony. Historically, certain categories of witnesses were regarded as unreliable, and the common law required the trial judge to warn the jury about the dangers of relying on such evidence where it was uncorroborated. These categories included: complainants in sexual assault cases [11], accomplices, and child witnesses [1]. One particular barrier – the “corroboration rule” – stands out of discriminatory and onerous roadblock for women and girls who seek justice as victims of sex crimes [12, p. 408]. It is a common law rule of evidence and criminal procedure that requires prosecutors trying sex offence cases to have independent evidence in addition to a victim's testimony, even if that testimony is credible and shows beyond a reasonable doubt that the defendant committed the sex crime [12]. This heightened evidentiary standard for victims of sex crimes is based on the stereotype that women and girls are apt to lie about being raped and that their word alone – no matter how clear, convincing, or credible – should not be enough to put a rapist behind bars [12].

The corroboration rule itself requires that prosecutors who are trying a sexual offence case in court provide independent evidence, from a source other than the victim's statement, which substantiates a victim's testimony [13]. In nearly every other type of criminal case, the credible testimony of a single witness can be sufficient to convict an accused. But under the corroboration rule, a victim's credible testimony alone is not enough to put an accused sex offender behind bars in sexual offence cases [12, p. 414]. In its strictest application, corroborative evidence is required for each element of a sex crime. For example, without corroborative evidence for all three elements of the crime of rape (i.e., penetration, lack of consent, and identity of the accused), a defendant's criminal charge will almost certainly be downgraded to a lesser criminal offence or dismissed entirely [12].

According to expert studies, the consequences of sexual abuse may include both short and long term physical and psychological harm to the victim, including but not limited to unwanted pregnancies, genital lesions, sexually transmitted infections, post-traumatic stress disorder, fear, lack of trust, shame, guilt, anxiety, depression, drug abuse, self-harm, and suicidal behaviour. Therefore, the importance of obtaining a just result for victims of sexual abuse cannot be overstated [12, p. 429]. Sexual violence typically has long-term and life-threatening physical and psychological consequences, as well as social, economic and legal repercussions, and results in increased risk and vulnerability for survivors. Communities and communal structures can be damaged or destroyed at their core by the commission of sexual violence against their members [8, p. 25].

The corroboration rule, as a barrier to justice for survivors of sexual abuse, not only violates the rights of individual survivors, but also perpetuates a climate of fear for women and girls [12, p. 441]. A corroboration rule disproportionately impacts women and girls because women and girls comprise the majority share of victims of sexual abuse and because such abuse is rampant [12, p. 445].

The corroboration rule is based on an unfounded stereotype that women and girls will lie about sex, and the rule is applied to the detriment of survivors who are predominantly female. The stereotype that women and girls are apt to lie about sex is empirically invalid, and a rule borne out of a baseless assumption that women and girls lie about sex is sex-stereotype discrimination that violates international law [12, p. 443]. Empirical research has been done refuting the notion that women lie more easily or frequently than men, or that they are intrinsically unreliable witnesses. A US study found that the incidence of false reports for rape is exactly the same as that for other

felonies – about two per cent. There is no evidence to suggest that these statistics have changed significantly over the last twenty years [12, p. 426-427].

The corroboration requirement prohibits convictions based solely on the testimony of the victims and imposes a legal requirement that the victim's testimony must be corroborated by other evidence. This imposes a higher burden of proof on victims of sexual violence in comparison with other violence crimes [21].

It is also important to note that although the corroboration rule is characteristic to common law systems, related provisions on evidence in sexual violence cases under civil law systems might be interpreted as containing main elements of the corroboration rule. Women's right to equality before the law is frequently violated in national criminal jurisdictions because their evidence is distrusted. Women, therefore, have been treated unequally in that their right to freedom from sexual coercion by a perpetrator is extremely limited. In national jurisdictions, rape and sexual assault laws have often put people in terms of a 'proposer' of sexual acts, and the 'acceptor' is deemed to consent to the act unless their resistance is made clear, especially by using physical resistance. This is contrary to an approach to the criminal law which incorporates the human right to equality [18, p. 13].

Under the corroboration rule evidence establishing lack of consent and existence of force play a crucial role in sexual violence cases. International human rights and international criminal law standards indicate how lack of consent should be interpreted and what circumstances should be taken into account to that end. The concept of 'consent' as used in national criminal law imports a notion of individual choice, typically without a consideration of the reality of abuse of power (whether evidenced through physical force, or other forms of coercion) and other factual conditions that may prevail before, during and perhaps after the sexual acts in question. A consideration of whether an individual was able to exercise sexual autonomy, by contrast, takes into account the overall dynamic and environment surrounding those sexual acts and how these had an impact on the victim's ability to make a genuine choice [18].

The definitions of sexual violence derive from the jurisprudence of the ad hoc International Criminal Tribunals for Rwanda (ICTR) and the Former Yugoslavia (ICTY) according to which elements of rape exist when the perpetrator uses force, the threat of force or coercion, and also when the perpetrator exploits coercive circumstances.

The Rules of Procedure and Evidence of ICTR and ICTY established the following key protection for victims of sexual violence:

- Corroboration of victim testimony is not required;
- Information about the victim's prior sexual conduct cannot be admitted as evidence;
- Lack of consent can be inferred from the environment of coercion that characterises war, mass violence, and detention [5].

ICTY made clear that force or threat of force provides clear evidence of non-consent, but force is not an element per se of rape. In particular, the Trial Chamber wished to explain that there are "factors 'other than force' which would render an act of sexual penetration non-consensual or non-voluntary on the part of the victim". A narrow focus on force or threat of force could permit perpetrators to evade liability for sexual activity to which the other party had not consented by taking advantage of coercive circumstances without relying on physical force [15, para. 129].

In the case of *Kunarac, Kovač and Vuković*, the ICTY noted that in practice, the absence of genuine and freely given consent or voluntary participation may be

evidenced by the presence of the various factors specified in other jurisdictions – such as force, threats of force, or taking advantage of a person who is unable to resist. A clear demonstration that such factors negate true consent is found in those jurisdictions where absence of consent is an element of rape and consent is explicitly defined not to exist where factors such as use of force, the unconsciousness or inability to resist of the victim, or misrepresentation by the perpetrator [16].

According to the International Criminal Court (ICC), victim's consent for a sexual act may not be taken into account if the existing circumstances "undermined the victim's ability to give voluntary and genuine consent" [7, Rule 70 (a); 16]. The silence of the victim or lack of resistance does not mean the victim's consent [7, Rule 70 (c)]. Additionally, corroboration is not required to prove any crime within the jurisdiction of the ICC [7, Rule 63]. The ICC Elements of Crimes and Rules of Procedure and Evidence procedure and evidence clearly states that a Chamber shall not impose a legal requirement that corroboration is required in order to prove any crime within the jurisdiction of the Court, in particular, crimes of sexual violence [7, Rule 63(4)]. All references to the term 'consent' within the Elements of Crimes must be interpreted consistently with a fuller, more accurate and human-rights based understanding of the word consent – that a consensual decision is a decision made without force, threat of force, coercion, or taking advantage of a coercive environment. Where evidence of force, threat of force or coercion is present, there should absolutely be no additional element of law of consent for the prosecution to prove [18, p. 6].

The scope of definitions of rape and sexual violence in the ad hoc International Criminal Tribunals for Rwanda and Yugoslavia have been the subject of intense scholarly attention and significant jurisprudence, mainly on the central question of how rape should be defined, whether by reference to the victim's lack of consent, or whether the perpetrator used coercion, force, or threat of force, or took advantage of coercive circumstances. However, the way that international human rights law and standards relating to rape and other sexual crimes affect this central question of the definition of rape has so far not received a similar level of attention, even though Article 21(1)(c) and Article 21(3) of the Rome Statute of the ICC require that the decisions of the Court must be consistent with "internationally recognized human rights law [18, p. 8-9].

The issue of closing a rape investigation on the premise of insufficient proof of physical force was considered by the European Court of Human Rights in the case of *M.C. v Bulgaria*. The Court considered that, while in practice it may sometimes be difficult to prove lack of consent in the absence of "direct" proof of rape, such as traces of violence or direct witnesses, the authorities must nevertheless explore all the facts and decide on the basis of an assessment of all the surrounding circumstances. The investigation and its conclusions must be centred on the issue of non-consent [3, para.181].

As to whether *M.C.* consented to the sexual intercourse, the Court opined that historically in rape cases domestic law and practice required proof of the use of physical force by the perpetrator and physical resistance on the part of the victim. It noted, however, that now, many European countries, including common-law jurisdictions, had removed references to physical force from their legislation. The Court held that lack of consent, via assessment of the surrounding circumstances, not a *sine qua non* of resisting force, had become the critical assessment in defining rape. In general, the Court recognized that the State's positive obligation to adopt measures to secure respect for private life must be in conformity within the wider requirements of non-

discrimination within the Convention. The M.C. case is the first to raise sexual autonomy and equality as relevant to the State's obligation to investigate and prosecute sexual violence, in order to comply with substantive and procedural obligations Article 3 of the European Convention of Human Rights. The Court also observed that law and legal practice reflect the changing social attitudes requiring respect for the individual's sexual autonomy and equality.

How sexual autonomy and equality were examined in the non-war context might be of relevance to conflict-related prosecutions. The ICC could glean support from the M.C. holding [14, p. 33].

Unlike in international and hybrid courts, corroborating evidence is often required in national jurisdictions. Medical or forensic evidence may be a formal or informal requirement in order for a case to go forward in court. Often such evidence is unlikely to be available, foreclosing victims' access to justice. Further, forensic evidence and clinical findings may be undetectable even when rape is known to have occurred, depending in part on the nature of the violence, the likely delay between the assault and medical evaluation, and the availability of forensic evidence collection techniques. The absence of such evidence may, in effect, prevent prosecution and serve as a barrier for victims who seek access to justice [8, p. 145]. In most European countries influenced by the continental legal tradition, the definition of rape contains references to the use of violence or threats of violence by the perpetrator. It is significant, however, that in case law and legal theory lack of consent, not force, is seen as the constituent element of the offence of rape [3, para. 159].

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) states that consent in sexual violence cases, including rape must be given voluntarily as the result of the person's free will assessed in the context of the surrounding circumstances [23]. Prosecution of this offence will require a context-sensitive assessment of the evidence in order to establish on a case-by-case basis whether the victim has freely consented to the sexual act performed. Such an assessment must recognise the wide range of behavioural responses to sexual violence and rape which victims exhibit and shall not be based on assumptions of typical behaviour in such situations. It is equally important to ensure that interpretations of rape legislation and the prosecution of rape cases are not influenced by gender stereotypes and myths about male and female sexuality [4, para. 192].

It is also important to highlight that the criminal offences of sexual violence and rape established in accordance with the Istanbul Convention are applicable to all non-consensual sexual acts, irrespective of the relationship between the perpetrator and the victim [4, para. 194]. The Council of Europe Recommendation (2002)⁵ of the Committee of Ministers on the Protection of Women against Violence states that national law should penalise any sexual act committed against non-consenting persons, even if they do not show signs of resistance; penalise sexual penetration of any nature whatsoever or by any means whatsoever of a nonconsenting person [4, para. 35].

The UN Handbook for Legislation on Violence against Women provides further clarifications by specifying that sexual abuse legislation should include a broad range of coercive circumstances and it should not emphasise the use of force because rape in itself is violent act. In the case of violence, it should be used as an aggravating circumstance. According to the Handbook, sexual violence is not criminalised in some countries when it occurs in a marriage or intimate relationships. However, in countries

where such action are criminalised, such crimes are rarely investigated and the perpetrators are rarely punished [24, p. 26].

And most recently, the Special Rapporteur on violence against women (SRAW) in her Report to the Human Rights Council (2021) recommends that states should explicitly include lack of consent at the centre of their definition of rape. Force or threat of force provide clear evidence of non-consent, but force is not a constituent element of rape. States must specify that consent must be given freely, as a result of the person's free will, assessed in the context of the surrounding circumstances. Intercourse without consent should be criminalized as rape in all definitions. The SRAW further recommends that criminal provisions on rape should specify the circumstances in which determination of lack of consent is not required or consent is not possible, for example, when the victim is in an institution such as a prison or detention centre, or is permanently or temporarily incapacitated owing to the use of alcohol and drugs [19, para. 85].

The CEDAW Committee also plays an important role on avoiding corroboration rule in sexual violence cases. In its General Recommendation No 33 on Women's Access to Justice, the CEDAW Committee established that "corroboration rules that discriminate against women as witnesses, complainants and defendants by requiring them to discharge a higher burden of proof than men in order to establish an offence or to seek a remedy are discriminatory barriers to access to justice." It stressed that "stereotyping also affects the credibility given to women's voices, arguments and testimony as parties and witnesses. Such stereotyping can cause judges to misinterpret or misapply laws. This has far reaching consequences, for example, in criminal law, where it results in perpetrators not being held legally accountable for violations of women's rights, thereby upholding a culture of impunity." Indeed, the corroboration rule, though used as a rule of evidence in the courtroom, has far reaching impacts and consequences.

The CEDAW Committee reiterated several times that stereotyping affects women's right to a fair and just trial and that the judiciary must take caution not to create inflexible standards of what women or girls should be or what they should have done when confronted with a situation of rape based merely on preconceived notions of what defines a rape victim or a victim of gender-based violence, in general (*Verdito v. the Philippines* case; *R.P.B. v. the Philippines*). The CEDAW Committee highlighted the importance to remove any requirement that sexual assault be committed by force or violence, and any requirement of proof of penetration, so as to place the lack of consent at its centre. The CEDAW Committee also affirms that a definition of sexual violence crimes including marital and acquaintance/partner rape should be based on the lack of freely consent and take into account the coercive environment [2]. In its communication No 18/2008 *Karen Tayag Verdito v. the Philippines*, the CEDAW Committee highlighted that review of the definition of rape in the legislation so as to place the lack of consent at its centre. Further the CEDAW Committee specifies that the national legislation should remove any requirement that sexual assault be committed by force or violence, and any requirement of proof of penetration, and minimise secondary victimisation of the complainant/survivor in proceedings by enacting a definition of sexual assault that either:

- requires the existence of "unequivocal vocal and voluntary agreement" and proof by the accused of steps taken to ascertain whether he complainant/survivor gave consent; or
- requires that the act take place in "coercive circumstance" and includes a broad range of coercive circumstances [2, para. 8.9].

The CEDAW Committee in its *Karen Tayag Verdito v. the Philippines* communication held that there should be no presumption that the victim consents if she does not physically resist unwanted sexual conduct, “regardless of whether the perpetrator threatened to use or used physical violence” [10, para. 8.5]. The Committee noted a reference in the judgment of the local court to three general guiding principles used in reviewing rape cases. It was its understanding that those guiding principles, even if not explicitly referred to in the decision itself, have been influential in the handling of the case. The Committee found that one of them, in particular, according to which “an accusation for rape can be made with facility”, reveals in itself a gender bias [10]. With regard to the alleged gender-based myth and stereotypes spread throughout the judgment, the Committee, after a careful examination of the main points that determined the judgment, noted the following issues. First of all, the judgment refers to the principles such as that physical resistance is not an element to establish a case of rape, that people react differently under emotional stress, that the failure of the victim to try to escape does not negate the existence of the rape as well as to the fact that “in any case, the law does not negate the existence of the rape as well as to the fact that “in any case, the law does not impose upon a rape victim the burden of proving resistance” [10]. The Committee noted that the Court did not apply the principle that “the failure of the victim to try and escape does not negate the existence of rape” and instead expected a certain behaviour from the author, who was perceived by the court as being not “a timid woman who could easily be cowed.”

The CEDAW Committee in its *R.P.B v. the Philippines* communication recommended to the state to review its rape law to place lack of consent at its centre by removing any requirement that sexual assault be committed by force or violence and any requirement of proof of penetration and ensure all proceedings involving rape and other sexual offences are conducted impartially and fairly and free from prejudices and stereotypes related to gender, age and disability [17].

CEDAW Committee in its *Karen Tayag Vertido v. Philippines* communication [10] stated that with regard to the definition of rape, the Committee notes that the lack of consent is not an essential element of the definition of rape in the Philippines Revised Penal Code. The Committee recalled its General Recommendation No. on violence against women, where it made clear that states parties should ensure that laws against family violence and abuse, rape, sexual assault and other gender-based violence give adequate protection to all women, and respect their integrity and dignity [10, para 24]. Through its consideration of States parties’ reports, the Committee reiterated that rape constitutes a violation of women’s right to personal security and bodily integrity, and that its essential element is lack of consent.

In its General Recommendation No 33, The CEDAW Committee recommends to review rules of evidence and their implementation, especially in cases of violence against women, and adopt measures with due regard to the fair trial rights of victims and defendants in criminal proceedings, to ensure that the evidentiary requirements are not overly restrictive, inflexible or influenced by gender stereotypes [10, para. 51(h)]. It also recommends to revise the rules on the burden of proof in order to ensure equality between the parties in all fields where power relationships deprive women of fair treatment of their cases by the judiciary [10, para. 15(g)].

Evidentiary rules can have both *de jure* and *de facto* discrimination effect on access to justice by women who are victims of violence. Under the Istanbul Convention,

for instance, “evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary” [9].

It is a long-settled principle of international law that judges may rely on the evidence of a single witness/victim to enter a conviction without the need for corroboration, even though corroborative evidence remains valuable in any criminal prosecution and it will almost always come to light from comprehensive investigation [22].

Concerning the use of stereotypes in sexual violence cases, it should be noted that in the communication *Karen Tayag Vertido v. The Philippines*, the CEDAW Committee determined that the claimant had been denied an effective remedy by the state due in part to numerous gendered stereotypes and myths relied upon throughout the trial court’s decision. The judge, in that case, had acquitted the accused, finding that the victim should have fought him off once she had regained consciousness and while he was raping her. In its decision, the Committee stressed that: “Stereotyping affects women’s right to a fair and just trial and that the judiciary must take caution not to create inflexible standards of what women or girls should be or what they should have done when confronted with a situation of rape based merely on preconceived notions of what defines a rape victim or a victim of gender-based violence.” The CEDAW concluded that the complainant suffered “re-victimisation through the stereotypes and gender-based myths relied upon in the judgement” [10, para. 8.8].

Conclusion

In spite the corroboration rule is not in line with contemporary international human rights and criminal law norms, it still exists in several national jurisdictions. The corroboration rule is an offensive and discriminatory legal relic that has no place in today’s criminal justice system. It obstructs justice for survivors at all stages of the criminal process, leaving women and girls without an effective remedy for the sexual abuse that they have suffered and leading to a climate of impunity. It also treats female survivors of sex abuse as a suspect class of witnesses based on an unfounded stereotype about women and girls. The relevant international human rights instruments should strengthen their efforts and take further steps for removal of the corroboration rule in common law systems as well as any related elements of this rule existing in civil law systems in national jurisdictions. Specific approach should be addressed in transitional justice highlighting issues of corroboration and evidentiary requirements in gender-based violence cases during armed conflict and its aftermath.

References:

1. Australian Law Reform Commission. Uniform Evidence Law (ALRC Report 102. Warnings about unreliable evidence. Available at: <https://www.alrc.gov.au/publication/uniform-evidence-law-alrc-report-102/18-comments-warnings-and-directions-to-the-jury/warnings-about-unreliable-evidence/>, last access – 09.02.2024.
2. CEDAW GR 35
3. European Court of Human Rights. The case of *M.C. v Bulgaria*. Application no. 39272/98.
4. Explanatory Report to Istanbul Convention. Available at: <https://rm.coe.int/ic-and-explanatory-report/16808d24c6>, last access – 11.02.2024.

5. ICTR, Rules of procedure and evidence, Rule 96; ICTY, Rules of procedure and evidence, Rule 96. Available at: <https://unictr.irmct.org/en/documents/rules-procedure-and-evidence>, last access – 18.03.2024.
6. International Committee of the Red Cross, Customary International Humanitarian Law Database, Rule 93, ‘Rape and other forms of sexual violence are prohibited’. Available at: <https://ihl-databases.icrc.org/en/>, last access – 12.01.2024.
7. International Criminal Court, Elements of Crimes and Rules of Procedure and Evidence, ICC-ASP/1/3, 2002.
8. International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, 2017. P. 145
9. Istanbul Convention, Article 54.
10. Karen Tayag Verdito v. the Philippines, CEDAW/C/46/D/18/2008, 2010.
11. Kelleher v The Queen (1974) 131 CLR 534.
12. M. Xiao Liu & A.K.Creel Benton. Beyond belief: How the “corroboration rule” in Malawi obstructs justice for victims of sex crimes and discriminates against women and girls on the basis of sex- a call for legislative change. Columbia Journal of Gender and Law. 40.3, 2020.
13. Mariette v. Republic (1966) 4 ALR Malawi Series 119,134 (lines 28-30) (High Ct.)(Malawi) (defining “corroboration” as “independent testimony coming from a source other than the complainant implicating an accused which supports the testimony of the complainant”).
14. P. Viseur Sellers. The Prosecution of Sexual Violence in conflict: The Importance of Human Rights as Means of Interpretation. P. 33
15. Prosecutor v. Kunarac, Kovač and Vuković, Appeal Judgment, 12 June 2002, para. 129
16. Prosecutor v. Kunarac, Kovač and Vuković, case no. IT-96-23, Judgment, 22 February 2001
17. R.P.B. v. the Philippines, CEDAW Committee, 34/2011.
18. Rape and sexual violence: Human rights law and standards in the International Criminal Court. Amnesty International. 2008.
19. Report of the Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović (UN Doc A/HRC/47/26), 19 April 2021 Para. 85.
20. Roadblocks to Justice, How the law is failing survivors of sexual violence in Eurasia, 2019, Equality Now, p. 8.
21. Sh.Choudhry. Women’s access to justice: A guide for legal practitioners, 2018.
22. The Administration of Justice on sexual violence crimes against women in Georgia. CoE, December 2020. Available at: <https://rm.coe.int/sexual-violence-research-eng/1680a13604>, last access – 06.03.2024.
23. The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), 2011. Available at: <https://rm.coe.int/168008482e>, last access – 04.03.2024.
24. UN Handbook for Legislation on VaW, UN, 2010, ST/ESA/329, p. 26.

**Date of receipt of the article in the Editorial Office
(15.03.2024)**