



About the Series

Gender-based violence (GBV) affects one in three women worldwide, making it an urgent and important policy challenge. Many countries around the world have passed laws intended to protect women from violence, yet violence persists.

Over the past year, the COVID-19 pandemic has raised awareness of the perils women face from gender-based violence—what has come to be known as the “shadow pandemic”—but it has also aggravated risk factors while increasing barriers to protection, support, and justice.

This publication aims to focus on the intersection of gender-based violence and the rule of law by examining how legal frameworks, judicial system responses, and public policy contribute to the ways in which gender-based violence is—and is not—addressed around the world. Each piece addresses the complicated challenge of gender-based violence and the successes and failures of various public policy responses globally, and offers recommendations for a path forward.

INTRODUCTION

Violence against women is recognized as one of the main human rights violations against women in Russia by several international organizations, including the latest communications from the Committee on the Elimination of Discrimination against Women (CEDAW) and the European Court of Human Rights.

¹ In its responses to international organizations, Russian representatives continue to insist that “the country has all necessary instruments of administrative and criminal law to protect women from domestic violence and their effectiveness is confirmed by law enforcement practices.”² Such statements happen against the background of active domestic campaigns to enact legislation on the prevention of domestic violence, which were the result of active mass media coverage of particularly brutal cases of violence against women and the work of activists campaigning for change.

Following the 2016 Ukrainian-Russian virtual flash mob #IAmNotAfraidToTell

(# /), in which thousands of women shared stories of sexual and domestic abuse, other feminist hashtag campaigns such as #ItIsNotAReasonToKill and #IDoNotWantToDie gathered and related a multitude of narratives of domestic violence.³ The newly created center and information resource Nasiliu.net launched an aggressive information campaign about domestic violence, reporting incidents of women being maimed or killed, which were further reposted by major media outlets. Several especially brutal criminal cases made headlines in all of the major newspapers and online news outlets. Those included the 2017 case of Margarita Gracheva, who had her hands chopped off by her husband due to his jealousy (Gracheva had filed a complaint with the police about his abuse just two weeks prior to the incident).³ So well 7 call of Kha Gracu

Each of these mass media campaigns has revealed so many stories of violence against women in Russia that it has been difficult to ignore.

The available statistics also confirm that domestic violence remains a major violation of women's

The changes to Article 116 of the Criminal Code, enacted in July 2016, set a precedent in Soviet and post-Soviet legislation on domestic violence. Since 1996, Article 116, titled “Assault” (Poboi), had stipulated punishments for assaults not resulting in serious health damage, the first revised post-Soviet Criminal Code. The changes to this article came as part of the package initiated by the Ministry of Justice in 2015. The package was aimed at “optimizing” the criminal and administrative justice system, easing the judicial load, and creating more effective prosecutorial mechanisms.²⁸ Part of this process was to decriminalize some actions from Article 116.1 and transfer them to the Administrative Code.²⁹

ing the republic of Bashkortostan, Salia Murzabaeva, and Federation council member Anton Beliaev, a senator from the city of Vladimir, introduced a draft

of different agencies. Article 17 outlined the grounds for prevention measures, including information coming from social services, police, or the courts, which meant that official complaints ceased to be the only grounds for prosecution. Articles 18 to 25 defined the types and methods of prevention, including the controversial Articles 24 and 25 on protection orders. Overall, the draft continued the legal tradition of “prevention” legislation that was specifically

additional support for crisis centers (or, in the absence of those, NGOs that provide support services to survivors of domestic violence), the establish-



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4. Ekuzaveta Koroleva, "Prikhodite, kogda ub'iut," *Gazeta.ru*, October 2, 2018, <https://www.gazeta.ru/social/2018/10/02/12005587.shtml>.
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14. Ibid, II.d.

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23. Johanna Niemi, Lourdes Peroni, and Vladislava Stoyanova, eds., *International Law and Violence Against Women: Europe and the Istanbul Convention* (Abingdon: Routledge, 2020).
24. Sara De Vido, "The Istanbul Convention as an interpretative tool at the European and national levels," in *International Law and Violence Against Women*, ed. Johanna Niemi, Lourdes Peroni, Vladislava Stoyanova (Abingdon: Routledge, 2020), 57–74.
25. Muravyeva, "Bytovukha."
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33. "Mizulina predlagaet dekriminalizirovat' semeinye poboi," Pravo.ru, July 27, 2016, <https://pravo.ru/news/view/131807/>.
34. Draft law no. 1183390-6 of September 29, 2016, *O profilaktike semeino-bytovogo nasilia* (On prevention of family-domestic violence), available here: <https://sozd.duma.gov.ru/bill/1183390-6>.
35. Ibid, 45.
36. Russian Federation, The Council of the State Duma, Decision of the Committee on the Issues of Family, Women and Children, no 3.6-5-5/3, October 20, 2016, <https://sozd.duma.gov.ru/bill/1183390-6>.
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