

3. Australian Taxation Office “Engage with us for advice”. URL: <https://www.ato.gov.au/business/privately-owned-and-wealthy-groups/what-you-should-know/the-right-services/engage-with-us-for-advice/>

DOMESTIC VIOLENCE AS GRAVE VIOLATION OF HUMAN RIGHTS

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The relevance of the presented topic is attributable to the current social culture which disapproves of gender inequality as a whole and especially of its most brutal forms, such as violence. The United Nations, being the most influential international organization of our age, has contributed greatly to forming such a climate by keeping up with the most relevant public movements on the matter and providing them with global recognition. We are referring to the projects Me Too and Time’s Up in particular.

The Me Too movement originated in October 2017 as a hashtag on Twitter, one of the largest social platforms. People use it in order to share their experiences of sexual assault and harassment, and to highlight critical prevalence of this issue. Eventually this movement initiate police investigations and arrests in the US.

Time’s Up, an even newer phenomenon, is a movement against sexual assault and harassment too. This movement was founded on January 1, 2018 by Hollywood celebrities.

In the age of the Internet and pop-culture it seems only organic for such events to finally start influencing international order.

It must be noted that study and discussion of the raised topic is particularly relevant in Ukraine, where the above-mentioned offenses have recently received a lot of governmental attention.

According to the statistical data gathered by the World Health Organization, every third woman (35%) in the world faces either physical and/or sexual violence during her lifetime. In most cases violence is caused by intimate partners. Worldwide, almost one third (30%) of women who have been in a relationship report that they have experienced some form of physical and/or sexual violence by their intimate partner in their lifetime. Globally, as many as 38% of murders of women are committed by a male intimate partner. Violence can negatively effect on women’s physical, mental, sexual, and reproductive health, and may increase the risk of acquiring HIV in some settings. Intimate partner and sexual violence are mostly perpetrated by men against women. Children who grow up in families where there is violence may suffer a range of behavioral and emotional disturbances. These can also be associated with perpetrating or experiencing violence later in life.

A major Ukrainian based socio-political journal *Novoe Vremya* has carried out the most profound study available of domestic violence in the country. The article states that in Ukraine about 600 girls die every year from domestic violence while the police record 348 cases of domestic violence every day, 70-80% of which have women as victims. The author also draws attention to the problem of upbringing girls in a way that causes them to subconsciously justify violence towards themselves in later life, which results in extremely low numbers of communications from victims: currently only 10% of 1 million women who are abused are able to find the courage to speak up. [Ivanova 2017: 2783]

The international legal basis for the protection of persons from domestic violence is the Universal Declaration of Human Rights of 1948, according to which: “all human beings are born free and equal in dignity and rights...”, “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. Therefore domestic violence in all its forms is to be viewed as a violation of fundamental human rights. In addition, the United Nations Declaration on the Elimination of Violence against Women of 1993 focuses on this topic, as well as a series of resolutions of the UN General Assembly and UN ECOSOC. Among regional acts the CoE Convention on Preventing and Combating Violence against Women and Domestic Violence of 2011 stands out the most. It suggests that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men, that women and girls are exposed to a higher risk of gender-based violence than men, as well as that domestic violence affects women disproportionately. The Istanbul Convention is a revolutionary document. It became the first international legally binding act potentially open to any country in the world, which includes a set of measures to prevent and combat violence against women and domestic violence. [Council of Europe 2011: 210]

Based on the above, it is necessary to state that the phenomenon of domestic violence itself as well as in the context of gender-based violence against women has reached an unprecedented scale. Various international bodies recognize this danger in their acts, drawing attention to the problems of combating violence, encouraging states to take appropriate legislative measures to prohibit and eradicate it.

The example of Ukraine shows that criminalization of domestic violence is a crucial step to exercising gender equality policy. However, the problem is much more complex than a legal gap and therefore requires as much of a complex approach. This includes not only introduction of specific instruments of government coercion, but just as importantly, launching accessible programmes of victim support and correctional treatment programmes for the offenders, raising awareness through all possible outlets.

References:

1. Council of Europe (2011). *Convention on Preventing and Combating Violence against Women and Domestic Violence*. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
2. Joanna Bunker Rohrbaugh (2006). Domestic Violence in Same-Gender Relationships. *Family Court Review*, 44(2), 287-299.
3. United Nations Office on Drugs and Crime (2018). *Global study on homicide. Gender-related killing of women and girls*. Available at: https://www.unodc.org/documents/data-and-analysis/GSH2018/GSH18_Gender-related_killing_of_women_and_girls.pdf
4. World Health Organization (2017). *Violence against women*. Available at: <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>
5. Y. Ivanova (2017). Pro shho movchat` zhinky` [What women stay silent about]. *Novoe vremya magazine*, 41. Available at: <https://magazine.nv.ua/journal/2783-journal-no-41/o-chem-molchat-zhenshinu.html>.
6. Zakon Ukrainy` (2017). *Pro zapobigannya ta proty`diyu domashn`omu nasy`l`stvu [On the Prevention and Combating of Domestic Violence]* 2229-VIII. Available at: <http://zakon.rada.gov.ua/laws/show/2229-19#n6>

ADMINISTRATIVE PROCEDURE IN THE FIELD OF PUBLIC PROCUREMENT

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Reforming such a process as public procurement during the economic crisis is extremely important, because through the public procurement procedure, a large number of budget funds pass through each year, many of which disappear in corruption schemes and through ineffective organization of the procedure. The reform of public procurement with the active participation of the public was intended to fundamentally change the existing system. The changes came with the passing of a new law regulating public procurement in Ukraine in 2015. The Law of Ukraine "On Public Procurement" (Law) has become a qualitatively new stage in this area, and therefore it is important to uncover a new procedure, now for "public procurements", which is the subject of this research.

To begin with, it is important to determine the essence and purpose of this institute. In Ukraine, there is a persistent view that the main objective of public procurement law is to fight corruption. In fact, such a goal should be the development of competition, which will ensure the acceptance of the most economically advantageous offers [4]. At the same time, government tenders around the world are one of the most important regulators of the economy.

Procurement is an important part of the activities of institutions, organizations and enterprises of a public sector in the sphere of creation of public goods. The process of public procurement includes the definition of needs,